

SUPERIOR COURT
OF THE
STATE OF DELAWARE

E. SCOTT BRADLEY
JUDGE

1 The Circle, Suite 2
GEORGETOWN, DE 19947

January 28, 2013

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***RE: Stingray Rock, LLC v, The Board of Adjustment of the
City of Rehoboth Beach
C. A. No: S11A-07-010 ESB***

Dear Counsel:

I have dismissed the appeal in the above-captioned case because no written decision¹ was filed with the office of the Rehoboth Beach Board of Adjustment, making the appeal premature and not from a final decision of the Rehoboth Beach Board of Adjustment.² I suggest that you have the Rehoboth Beach Board of Adjustment prepare a written decision and file it with the office of the Rehoboth Beach Board of Adjustment and then file an appeal from that decision in order to correct these defects. I will then consider that appeal with the materials in this case so that the matter can be properly decided.

IT IS SO ORDERED.

Very truly yours,

/s/ E. Scott Bradley
E. Scott Bradley

ESB/sal

cc: Nicole Faries, Esq.

¹ No written decision was filed with the record on appeal and counsel for the parties have been unable to produce one.

² *McDonald's Corporation v. Zoning Board of Adjustment for the City of Wilmington*, 2002 WL 88944 (Del. Super. Jan. 10, 2002); *Kostyshyn v. the Commissioners of the Town of Bellefonte*, 2006 WL 1520199 (Del. Super. Jan. 6, 2006); 22 *Del. C.* §328(a).