

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN DOE 4,

Plaintiff Below,  
Appellant,

v.

RED CLAY CONSOLIDATED  
SCHOOL DISTRICT; DEFENDANT  
DOES 1-20, all individually and in their  
official capacities as members of the  
Board of the School District at the time of  
the abuse; MERVIN B. DAUGHERTY, in  
his official capacity as Superintendent of  
the Red Clay School District; CHARLES  
KALENKOSKI, personal representative  
of the Estate of William Blickley,

Defendants Below,  
Appellees.

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§ No. 490, 2012  
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§ Court Below—Superior Court  
§ of the State of Delaware,  
§ in and for New Castle County  
§ C.A. No. 09C-07-043  
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Submitted: September 14, 2012

Decided: September 26, 2012

Before **BERGER, JACOBS**, and **RIDGELY**, Justices.

**ORDER**

This 26<sup>th</sup> day of September 2012, it appears to the Court that:

(1) The plaintiff-appellant, John Doe 4,<sup>1</sup> has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the

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<sup>1</sup> John Doe 4 is the pseudonym plaintiff used in filing the complaint in the Superior Court. The trial judge used this pseudonym in the caption of its order denying certification of this appeal.

Superior Court, dated June 14, 2012, which ordered plaintiff to proceed with his case using his legal identity.<sup>2</sup> Plaintiff also appeals the Superior Court's order, dated August 6, 2012, denying reargument.

(2) The plaintiff filed the application for certification to take an interlocutory appeal in the Superior Court on August 20, 2012. The Superior Court denied the certification application on September 7, 2012.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, this Court has concluded that the application for interlocutory review does not meet the requirements of Supreme Court Rule 42(b) and should be refused.

NOW, THEREFORE, IT IS HEREBY ORDERED that the within interlocutory appeal be REFUSED. Plaintiff's motion requesting to use a pseudonym on appeal is moot.

BY THE COURT:

/s/ Jack B. Jacobs  
Justice

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For consistency, we therefore also use this pseudonym in the caption of our order. We do not otherwise rule on the plaintiff's motion requesting to use a pseudonym on appeal.

<sup>2</sup> Plaintiff had not sought the Superior Court's permission to file the complaint using a pseudonym.