

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL ANDERSON, ¹	§
	§
Respondent Below-	§ No. 42, 2014
Appellant,	§
	§
v.	§ Court Below—Family Court
	§ of the State of Delaware,
TAYLOR SMITH,	§ in and for Kent County
	§ File No. CK10-01095
Petitioner Below-	§ Petition No. 13-00091
Appellee.	§

Submitted: February 4, 2014
Decided: February 12, 2014

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

ORDER

This 12th day of February 2014, it appears to the Court that:

(1) The respondent below, Michael Anderson, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Family Court dated January 2, 2014. The trial court's order disqualified Anderson's father, a full-time Deputy Attorney General, from representing his son in a custody dispute.

(2) Anderson filed his application for certification to take an interlocutory appeal in the Family Court on January 15, 2014. The Family Court granted the

¹ The Court previously assigned pseudonyms pursuant to Supreme Court Rule 7(d).

certification application on January, 29, 2014, holding that its order met the criteria for certification under Supreme Court Rule 41(b)(iii) because the disqualification order construed a statute that has not previously been addressed by this Court. Although the Family Court granted the application for certification because it met “the technical requirements of Rule 42,” the trial judge expressed doubt whether important and urgent reasons exist under Rule 41(b) to justify an immediate determination of the issue by this Court.

(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.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice