

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JEFFREY A. CLOUSER,	§
	§
Plaintiff Below-	§ No. 405, 2018
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
KIM DOUGHERTY, <i>et al.</i> ,	§
	§ C.A. No. N15C-07-240
Defendants Below-	§
Appellees.	§

Submitted: August 22, 2018  
Decided: September 4, 2018

Before **STRINE**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

**ORDER**

Upon consideration of the notice of interlocutory appeal and amended notice of interlocutory appeal, it appears to the Court that:

(1) The plaintiff-appellant, Jeffrey Clouser, has petitioned this Court under Supreme Court Rule 42 to accept an appeal from an interlocutory order of the Superior Court, dated July 11, 2018, denying his motions to amend his complaint and for sanctions against defense counsel.

(2) Clouser filed an untimely application for certification to take an interlocutory appeal in the Superior Court on August 2, 2018. The Superior Court denied the certification application as untimely on August 10, 2018.

(3) Supreme Court Rule 42(c)(i) provides that an application for certification of an interlocutory appeal “shall be served and filed within 10 days of the entry of the order from which the appeal is sought or such longer time as the trial court, in its discretion, may order for good cause shown.” The Superior Court concluded that Clouser had not shown good cause for his untimely application for certification. We find no abuse of the Superior Court’s discretion in so ruling.

NOW, THEREFORE, IT IS HEREBY ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Karen L. Valihura  
Justice