

**IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE**  
**IN AND FOR NEW CASTLE COUNTY**  
**COURT NO. 13**

BETHEL VILLAS 2009 ASSOCIATES, LP	§
Plaintiff Below,	§
Appellee	§
	§ C.A. No. JP13-25-009544
VS	§
	§
CASSANDRA BOLDEN	§
Defendant Below,	§
Appellant	§

Submitted: December 11, 2025  
Decided: January 28, 2026

**APPEARANCES:**

Plaintiff/Appellee, BETHEL VILLAS 2009 ASSOCIATES, LP, by Jillian M. Pratt, Esquire  
Defendant/Appellant, CASSANDRA BOLDEN, by Anthony M. Sierzega, Esquire

**PANEL:**

Sean McCormick, Deputy Chief Magistrate  
Nina Bawa, Justice of the Peace  
Peter Burcat, Justice of the Peace

**IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE**  
**IN AND FOR NEW CASTLE COUNTY**  
**COURT NO. 13**

**CIVIL ACTION NO: JP13-25-009544**

**BETHEL VILLAS 2009 ASSOCIATES, LP**

**VS**

**CASSANDRA BOLDEN**

**ORDER ON *TRIAL DE NOVO***

The Panel has entered an Order in the following form:

Procedural and Factual Background

On July 8, 2025, Plaintiff/Appellee BETHEL VILLAS 2009 ASSOCIATES, LP, by and through its counsel, Jillian M. Pratt, Esquire, filed a Landlord-Tenant Complaint against Defendant/Appellant CASSANDRA BOLDEN. Plaintiff sought summary possession of a rental property alleged to be occupied by Defendant/Appellant. Plaintiff alleged Ms. Bolden had violated certain rules applicable to the rental community. A trial took place on September 5, 2025. Subsequently, on October 31, 2025, judgment was entered in favor of Plaintiff/Appellee and possession was awarded to Plaintiff/Appellee. On November 4, 2025, Anthony M. Sierzega, Esquire, on behalf of Defendant/Appellant, filed a Request for a *Trial de Novo*. A *Trial de Novo* was scheduled for December 11, 2025.

On December 11, 2025, Plaintiff/Appellee BETHEL VILLAS 2009 ASSOCIATES, LP, by and through its counsel, Jillian M. Pratt, Esquire, appeared via *Zoom*. Defendant/Appellant CASSANDRA BOLDEN, by and through her counsel, Anthony M. Sierzega, Esquire, likewise appeared via *Zoom* for the *Trial de Novo* (“TDN”). The Parties stipulated to Plaintiff’s Exhibit P-1, a Lease Agreement. P-1 was admitted into evidence by stipulation. Both Parties waived an opening statement. Ms. Pratt called Dolores Martin as Plaintiff/Appellee’s first witness. Ms. Martin testified she was the property manager for Plaintiff, and she knew Defendant/Appellant was a tenant at Plaintiff’s property. Ms. Martin stated she was aware of an incident at the property on June 8, 2025. Ms. Pratt stated she had a recording of a video from surveillance cameras of the common areas for the rental property located at 502 East 5<sup>th</sup> Street, Wilmington, Delaware. The recording was from an incident that occurred at the property on June 8, 2025. The video was shown to the Panel without objection from Mr. Sierzega. The video showed individuals involved in a physical altercation. Ms. Martin testified one of the individuals involved in the altercation was Ms. Bolden, and subsequently Ms. Bolden did not deny getting into the altercation. Ms. Martin concluded her testimony by stating that due to a rules violation, Plaintiff/Appellee was seeking possession of the rental unit occupied by Ms. Bolden.

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On cross-examination Ms. Martin was asked if Ms. Bolden had previously been involved in any similar altercations. Ms. Martin testified she was not aware of any similar altercations, nor was she aware of Ms. Bolden being involved in any fights since June 8, 2025. Ms. Martin agreed with Mr. Sierzega's question that the altercation at issue was a "one-time" incident.

Ms. Pratt had no re-direct questions for Ms. Martin. Ms. Pratt stated she had no further witnesses and Plaintiff/Appellee rested.

Defendant/Appellant called Ms. Bolden as Defendant/Appellant's first, and only witness. Ms. Bolden testified the alleged victim of the assault was a friend of hers, and they often referred to one another as "sisters." While Ms. Bolden did not deny there was an altercation on June 8, 2025, she testified she and the victim had "made up." Ms. Bolden wanted the Panel to know on the day of the incident at issue, she had been contacted by the victim who had stated she was in trouble and needed Ms. Bolden's assistance. Ms. Bolden further testified that when the victim arrived at the property, she "kept coming" towards Ms. Bolden. Ms. Bolden stated quite frankly that she "lost it." Ms. Bolden concluded her testimony by stating since the incident, she and the victim have remained friends.

On cross-examination, Ms. Bolden testified the victim had antagonized Ms. Bolden. Ms. Bolden did not deny she hit the victim multiple times and was at one point choking the victim. Mr. Sierzega did not have any re-direct questions for Ms. Bolden. Mr. Sierzega stated he had no further witnesses and Defendant/Appellant rested.

Ms. Pratt presented a closing argument. She stated Plaintiff/Appellee had met its burden of proof. She stated that due to the severity of the altercation and repeated attacks on the victim on June 8, 2025 by Ms. Bolden, the altercation was an act of significant violence, including choking of the victim. Ms. Pratt concluded by asking the Panel to award possession of the rental property to Plaintiff/Appellee.

Mr. Sierzega presented a closing argument. He stated while families do sometimes fight, which in no way justifies an assault, the incident at issue was an unfortunate one-time event. He reminded the Panel the involved parties had settled their differences and remained friends. He stated there have been no more incidents involving Ms. Bolden, and no one has reported any threats from Ms. Bolden. Mr. Sierzega argued the single incident on June 8, 2025 did not rise to the standard for an immediate termination of the Lease Agreement.

On rebuttal, Ms. Pratt argued again that a one-time event did not minimize the severity of the attack that took place on June 8<sup>th</sup>, including the act of choking the victim.

### Findings

The *Landlord-Tenant Code* regulates and sets forth the legal rights, remedies and obligations of all the parties to a residential rental agreement within the State of Delaware. See 25 *Del.C.* §5101, *et seq.* Plaintiff/Appellee BETHEL VILLAS 2009 ASSOCIATES, LP and Defendant/Appellant CASSANDRA BOLDEN stipulated there was a Lease Agreement between the Parties for the rental property located at 502 East 5<sup>th</sup> Street, Apt. B2, Wilmington, Delaware 19801. It is undisputed Ms. Bolden continued to occupy the rental unit.

The issue before the Panel is did Plaintiff/Appellee prove by a preponderance of the evidence that Tenant/Defendant/Appellant CASSANDRA BOLDEN violated the Rules and Regulations of the rental complex. As noted, the burden is on Plaintiff/Appellee. Plaintiff/Appellee's witness, Dolores Martin, testified she was aware of an altercation that took place in the common area of the complex. A surveillance video was shown to the Panel. It is undisputed Ms. Bolden was involved in a physical

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altercation on June 8, 2025. Ms. Bolden herself testified she had “lost it.” Ms. Bolden is observed on the video pursuing the victim multiple times and hitting the victim.

As mentioned, a plaintiff has the burden of proving their case by a preponderance of the evidence. “Preponderance of the Evidence is a standard of proof that is met when a party's evidence indicates that the fact ‘is more likely than not’ what the party alleges it to be. Evidence which, as a whole, shows the fact to be proved is more probable than not.” 9 *Del. Admin. Code* 303-5.0.

The Panel finds Plaintiff/Appellee has met its burden of proving their case by a preponderance of the evidence. While Mr. Sierzega has argued this was a one-time event and the parties have made up, that does not excuse a violation of rules set in place against acts of physical violence on the grounds of the rental complex. Engaging in criminal activity, which would include a physical assault, is a material violation of the Lease Agreement and is grounds for termination of the Lease Agreement.

### Judgment

Based upon the foregoing, the Panel enters herewith JUDGMENT FOR PLAINTIFF/APPELLEE. The Judgment entered below by the trial court is hereby AFFIRMED.

IT IS SO ORDERED 28th day of January, 2026

/s/ Sean McCormick

Deputy Chief Magistrate

On Behalf of Three Judge Panel



Information on post-judgment procedures for default judgment on Trial De Novo is found in the attached sheet entitled Justice of the Peace Courts Civil Post-Judgment Procedures Three Judge Panel (J.P. Civ. Form No. 14A3J).

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY  
COURT NO. 13**

**COURT ADDRESS:  
2 PENNS WAY SUITE 203  
NEW CASTLE DE 19720**

**CIVIL ACTION NO:  
JP13-25-009544**

**BETHEL VILLAS 2009 ASSOCIATES, LP, PLAINTIFF  
VS  
CASSANDRA BOLDEN, DEFENDANT**

**Plaintiff Parties:**

PLAINTIFF  
SYSTEM ID: @2935958  
BETHEL VILLAS 2009 ASSOCIATES LP  
506 EAST 5TH STREET  
WILMINGTON, DE 19801

ATTORNEY FOR PLAINTIFF  
SYSTEM ID: 005605  
JILLIAN M PRATT  
MORTON, VALIHURA & ZERBATO, LL  
3704 KENNETT PIKE  
SUITE 200  
GREENVILLE, DE 19807

**Other Case Parties:**

**Defendant Parties:**

ATTORNEY FOR DEFENDANT  
SYSTEM ID: 006618  
ANTHONY M SIERZEGA  
COMMUNITY LEGAL AID SOCIETY, I  
100 WEST 10TH STREET  
SUITE 801  
WILMINGTON, DE 198010000

DEFENDANT  
SYSTEM ID: @4165098  
CASSANDRA BOLDEN  
502 EAST 5TH STREET, APT B2  
WILMINGTON, DE 19801

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**JUSTICE OF THE PEACE COURT  
CIVIL POST- JUDGMENT PROCEDURES  
THREE JUDGE PANEL**

*[This information is not legal advice and not a substitute for seeking legal advice from an attorney. This information is not binding on the court if incorrect or misunderstood. It relates to frequently asked questions concerning post-judgment procedures but does not address all of the possible procedures and may not apply in your particular case. Forms for these procedures may be obtained from any Justice of the Peace Court civil location. All motions must include the name of the court, the names of the parties, the case number, the date the motion is filed with the Justice of the Peace Court and a title indicating the reason for the motion. Court costs or fees must accompany the motion, unless the person has requested, and the court determined, that the person may proceed in forma pauperis (without paying costs or fees or posting bond because they have no money to pay).]*

**All payments should be made directly to the prevailing party. The Court does not accept payment on judgments.**

**Pursuant to 10 Del. C. § 9567(b), prevailing parties are reminded of their duty to file a satisfaction of the judgment within 90 days of payment in full.**

**FAILURE OF A PARTY TO APPEAR FOR THE PANEL TRIAL**

As provided by Justice of the Peace Civil Rule 72.1(f), if the Appellant (the party who requested the appeal trial) or both parties fail to appear for the trial, the judgment of the court below shall stand unless the Appellee appears and has filed a counterclaim.

If the Appellee (the party against whom the appeal was taken) fails to appear and a DEFAULT JUDGMENT is entered, that party may file a Motion To Vacate the judgment pursuant to Justice of the Peace Civil Rule 60. The Motion must show; (1) the Appellee's failure to appear was the result of actions of a reasonably prudent person; and (2) the outcome would be different if the trial were held; and (3) the party that appeared would not be prejudiced by having the trial. The Motion must be filed within 10 days, starting the day after the judgment was signed by the De Novo Panel. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**

**MOTION FOR A NEW TRIAL**

Either party has 10 days, starting the day after the judgment was signed by a Judge, to file a Motion For A New Trial as provided under Justice of the Peace Court Civil Rule 59. This Motion shall be in writing and shall briefly and succinctly state the reasons for the request. A Motion For A New Trial will be heard by the Panel of Judges who originally heard the case. The reasons for which a new trial may be granted are limited. For example, the reason given for requesting a new trial may be newly discovered evidence. However, for the Panel to grant a motion for a new trial based upon newly discovered evidence, the party requesting the new trial must show all of the following: (1) the newly discovered evidence is important enough to change the result in the case; (2) the evidence could not have been discovered prior to the original trial with reasonable investigation; and (3) the evidence does not merely repeat or dispute evidence presented in the original trial. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**