

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALECK J. TAYLOR	t/a	§
SOUTHEAST INVESTORS OF		§
DELAWARE & SOUTHEAST		§ No. 327, 1999
INVESTORS, INC.		§
		§
Petitioner Below-		§ Court Below— Superior Court
Appellant,		§ of the State of Delaware,
		§ in and for Kent County
v.		§ C.A. No. 98C-091-042
		§
CAMDEN-WYOMING SEWER		§
AND WATER AUTHORITY and		§
JOHN ROTH,		§
		§
Respondents Below-		§
Appellees.		§

Submitted: March 23, 2000
Decided: April 5, 2000

Before **WALSH, HOLLAND** and **BERGER**, Justices

ORDER

This 5th day of April 2000, the Court has before it the appellees' motion to dismiss this appeal on the basis that it seeks review of an interlocutory ruling but has not been filed in accordance with Supreme Court Rule 42. The record reflects that the Superior Court's entry of summary judgment with regard to the complaint is an interlocutory ruling because the counterclaims remain undecided. The appellant acknowledges

these circumstances but argues that the motion should be denied. The motion to dismiss this interlocutory appeal must be granted due to the appellant's failure to comply with Rule 42.¹

NOW, THEREFORE, IT IS HEREBY ORDERED that the appellees' motion is granted and this appeal is DISMISSED.

BY THE COURT:

Randy J. Holland
Justice

¹ *Harrison v. Ramunno*, Del. Supr., 730 A.2d 653 (1999).