

IN THE SUPREME COURT OF THE STATE OF DELAWARE

COMCAST CABLE	§
COMMUNICATIONS	§
MANAGEMENT, LLC,	§ No. 278, 2008
	§
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
RICHARD ALLEN WOERNER and	§ in and for New Castle County
ITZI GUERRA-WOERNER,	§ C.A. No. 06C-05-265
	§
Plaintiffs Below-	§
Appellees.	§

Submitted: June 11, 2008

Decided: July 7, 2008

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

ORDER

This 7th day of July 2008, it appears to the Court that:

(1) The defendant-appellant, Comcast Cable Communications Management LLC, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court, entered May 2, 2008, denying Comcast's motion for summary judgment. The trial court's decision held that there were still issues of fact remaining that precluded the entry of summary judgment.

(2) Comcast filed its application for certification to take an interlocutory appeal in the Superior Court on May 12, 2008. The Superior Court denied the certification application on June 10, 2008.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of our discretion, we have 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 is REFUSED.

BY THE COURT:

/s/ Carolyn Berger
Justice