

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

KARMIK REALTY LLC KARAS.	§	
Plaintiff Below,	§	
Appellant	§	
	§	
VS	§	C.A. No. JP13-25-018856
	§	
	§	
KRISTEN BARKER	§	
Defendant Below,	§	
Appellee	§	

TRIAL DE NOVO

Submitted: April 30, 2026

Decided: June 11, 2026

**APPEARANCES:**

Karmik Realty LLC, Plaintiff/Appellant, appeared represented by Form 50 agent Michael Karas  
Kristen Barker, Defendant/Appellee, appeared Pro se

Sean McCormick, Deputy Chief Magistrate  
Peter Burcat, Justice of the Peace  
James Hanby, Justice of the Peace

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
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COURT NO. 13**

**CIVIL ACTION NO: JP13-25-018856**

**KARMIK REALTY VS KRISTEN BARKER**

**ORDER ON TRIAL DE NOVO**

The Court has entered a judgment or order in the following form:

On April 30, 2026 a three-judge panel consisting of Deputy Chief Magistrate Sean McCormick and Judges Peter Burcat and James Hanby went forth in the above-captioned matter. Only the Appellant, Karmic Realty, LLC represented by Form 50 Agent Michael Karas, was present. He advised that he sought both a rental debt as well as the right to possession of the rental unit in question. The panel set about reviewing the Appellant's evidence in order to ensure the debt as alleged was mathematically correct. It was here that confusion reigned. The Plaintiff had supplied several documents in support of his case – firstly, a copy of the controlling lease was provided which established the monthly rental amount as \$1,100.00 and allowed for a late fee of 5% (\$55.) Secondly, the original 5-day letter dated 9/15/25 filed with the complaint claiming a rental debt of \$4,587.26 and which included within it a ledger of sorts which ran from 10/30/23 through 9/1/25 and alleged a balance of \$5,108.05 including an \$18.05 entry entitled "Lyft to the Mall". Thirdly, a separate ledger filed with the Court covering the period of time between 10/30/23 and 2/1/26 listing a balance due of \$10,883.05. This ledger included 80 entries for "CC Convenience fee" which totaled 512.18 as well as the "Lyft to Mall" fee of \$18.05. this same ledger lists as due and owing through 9/1/25 \$5,108.05. Lastly, a Form 13 Statement in Support of a Default Judgement was supplied claiming a rental debt for the period of June 2025 (partial) through January 2026 of \$10,524.99. None of the numbers matched, and when questioned the Appellant was unable to explain the variation. If one were to subtract from the ledger's listed 9/1/25 amount (\$5108.05) the "CC Convenience fee" total of \$512.18 and well as the "Lyft to Mall" fee of \$18.05 the amount due would be \$4,587.26 – the amount listed as due on the 5-day letter. But, since the 5-day letter includes in its ledger the "Lyft to Mall" fee of 18.05, is it overstated by that amount? Fees of such a nature may contribute to the totality of debt but cannot be included as "rent" for the purpose of seeking summary possession of a rental unit. If one were to subtract from the balance due the ledger (\$10,883.05) the CC fee (\$512.18) and Lyft fee (\$18.05) the balance would drop to \$10,352.82. In the alternative, one could start with the rental debt listed in the 5-day letter (\$4587.26) and add to that 5 months' rent at \$1,100/per and last fees of \$55/per – that amount would total \$10,362.26 – but that amount is \$9.44 higher than the ledger balance after the Lyft an CC fees were removed. And, none of those figures match the amount sought in the Form 13 Statement (\$10,524.99.) Simply put, since none of the numbers matched, the Panel could not be certain that the amount sought in the original 5-day letter was accurate – and therefore imbued the Court with jurisdiction to consider the possession aspect of the case. Accordingly the matter was dismissed without prejudice.

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IT IS SO ORDERED 11th day of June, 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).

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**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:  
JP13-25-018856**

**KARMIK REALTY LLC, PLAINTIFF  
VS  
KRISTEN BARKER, DEFENDENT**

**Plaintiff Parties:**

PLAINTIFF  
SYSTEM ID: @3348117  
KARMIK REALTY LLC KARAS.  
1104 BLACKSHIRE RD  
WILMINGTON, DE 19805

**Defendant Parties:**

DEFENDANT  
SYSTEM ID: @4238377  
KRISTEN BARKER  
1212 DELAWARE AVE  
C7  
WILMINGTON, DE 19806

**Other Case Parties:**

AGENT  
SYSTEM ID: FA10871  
MICHAEL KARAS  
1211 DELAWARE AVE  
WILMINGTON, DE 19806

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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.**

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