

WILLIAM B. CHANDLER III
CHANCELLOR

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DELAWARE 19947

Submitted: May 30, 2006
Decided: May 31, 2006

David J. Buchanan
34806 Hudson Road
Laurel, DE 19956

James B. Tyler
211 East Market Street
Georgetown, DE 19947

Re: *Buchanan v. Buchanan*
C.A. No. 2190-S

Dear Mr. Buchanan:

I have reviewed your complaint in the above matter. Your complaint alleges that your ex-wife has failed to make payments on the home mortgage for the farm that you own together and that she has prevented you from using the farm to grow crops. You assert three counts against your ex-wife. Count 1 is for “impairing the obligation of contract.” Count 2 is for fraud. Count 3 is for “interference with land use.” You seek money damages to compensate for the fines, fees, costs and lost income caused by her actions. You also seek punitive damages.

The Delaware Court of Chancery has jurisdiction over claims of an equitable nature or which require equitable relief. After reviewing your complaint, it is clear that what you seek are money damages. This Court does not have jurisdiction over legal claims seeking money damages. The appropriate Court to file your complaint in is the Delaware Superior Court. Accordingly, I will dismiss your claims *sua sponte* so that you can transfer your claims to that Court.

Under 10 *Del. C.* § 1902, you have sixty days to transfer your claims to the Superior Court. If, at the end of sixty days, you have not transferred your claims, they will be dismissed with prejudice.

IT IS SO ORDERED.

Very truly yours,

A handwritten signature in cursive script that reads "William B. Chandler III". The signature is written in black ink and includes a horizontal line under the name.

William B. Chandler III

WBCIII:wbg