

SUPERIOR COURT OF THE STATE OF DELAWARE

Roberts v. Moffa Construction Company, LLC

Roberts · No. C.A. No. S21C-10-017 CAK · Decided January 28, 2026

SUMMARY

The Delaware Superior Court denied Wanda Roberts’s motion under Superior Court Civil Rule 60(a) and 60(b)(1) to correct or reopen a judgment arising from a construction dispute. The court held that Roberts’s alleged mathematical errors required relitigation of factual findings and damages determinations, rather than correction of a clerical mistake or relief based on extraordinary circumstances.

CASE DETAILS

COURT	Superior Court of the State of Delaware
WRITING FOR THE COURT	Craig A. Karsnitz
JURISDICTION	Superior Court of the State of Delaware
DECIDED	January 28, 2026
DOCKET	C.A. No. S21C-10-017 CAK
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved under Superior Court Civil Rule 60(a) and 60(b)(1) to correct or reopen a judgment entered after a bench trial. The motion was denied.
STANDARD OF REVIEW	A Rule 60(a) motion is limited to correcting clerical, copying, or computational mistakes and may not be used to alter substantive rights or relitigate factual or legal determinations. Relief under Rule 60(b)(1) is extraordinary and requires extraordinary circumstances.
PRECEDENTIAL VALUE	published
PARTIES	Wanda Roberts v. Moffa Construction Company, LLC

TOPICS

[motion for reconsideration](#) [civil procedure](#) [construction law](#) [breach of contract](#) [appellate procedure](#)

PRACTICE AREAS

[civil procedure](#) [construction law](#) [contracts](#) [appellate procedure](#)

QUESTIONS PRESENTED

1. Whether Superior Court Civil Rule 60(a) permitted correction of the judgment based on Roberts's alleged mathematical errors and challenges to the court's factual findings and damages calculation.
2. Whether Roberts was entitled to relief under Superior Court Civil Rule 60(b)(1) based on mistake, inadvertence, surprise, or excusable neglect.

HOLDINGS

1. Rule 60(a) permits correction of a judgment only to make it accurately reflect what the court actually decided; it does not permit a party to change the substance of the decision, revisit evidentiary rulings, reweigh proof, or relitigate factual findings. Roberts identified no clerical, copying, or computational mistake within the rule's scope.
2. Roberts was not entitled to relief under Rule 60(b)(1) because she did not demonstrate mistake, inadvertence, surprise, excusable neglect, or extraordinary circumstances supporting the extraordinary remedy of Rule 60(b) relief.

KEY QUOTATIONS

“Superior Court Civil Rule 60(a) allows a court to correct a judgment so it speaks the truth of what the court actually decided. It does not permit changing the substance of the decision, revisiting evidentiary rulings, or reweighing proof.” (at 3)

“If ... cerebration or research into the law or planetary excursions into facts is required, Rule 60(a) will not be available to salvage ... blunders ... It is only mindless and mechanistic mistakes, minor shifting of facts, and no new additional legal perambulations which are reachable through Rule 60(a).” (at 3)

“In her Motion, Plaintiff is attempting to revisit and relitigate my factual determinations and my weighing of the trial evidence under the guise of a “mathematical error,” contrary to the clear limitations of Superior Court Civil Rule 60(a) and (b)(1).” (at 5)

FACTUAL BACKGROUND

The court previously conducted a four-day bench trial concerning Roberts's construction-related claims against Moffa Construction Company, LLC. The court awarded Roberts \$2,100 plus interest, determined the value of the work through fact and expert testimony, and ruled that Moffa had not breached the contract. Roberts's later motion alleged errors concerning invoices, credits, unperformed work, materials, water intrusion, and the calculation of damages, and sought \$183,000.

PROCEDURAL HISTORY

After a four-day bench trial, the court awarded Roberts \$2,100 plus interest and incorporated that award into an order entered January 9, 2025. Roberts appealed, and the Delaware Supreme Court affirmed the order on September 16, 2025; her petition for reargument was denied. Roberts then moved nearly a year after entry of the order to correct alleged mathematical errors and obtain substantially greater damages.

DISPOSITION

denied

CASES CITED

- OperaDelaware v. Kerchner, 2000 WL 33113960, at *1 (Del. Super. Oct. 31, 2000)
- Baltimore Tr. Co. v. McGee, 2001 WL 985085, at *3 (Del. Super. Aug. 21, 2001)
- Dixon v. Delaware Olds., Inc., 405 A.2d 117, 119 (Del. 1979)

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