

SUPREME COURT OF THE STATE OF DELAWARE

Stevens v. Brown

Stevens · No. No. 214, 2025 · Decided February 13, 2026

SUMMARY

The Delaware Supreme Court affirmed the Family Court’s denial of Owen Stevens’s motion to reargue or reopen ancillary divorce proceedings. The Court held that the motion for reargument was untimely, that the notice of appeal was too late to challenge the underlying property-division order, and that the Family Court did not abuse its discretion in refusing to reopen the proceedings for excusable neglect.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Gary F. Traynor; Justice Valihura; Justice Traynor; Justice Legrow
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	February 13, 2026
DOCKET	No. 214, 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Owen Stevens appealed the Delaware Family Court's denial of his motion to reargue or reopen ancillary proceedings related to the division of marital assets following the parties' divorce.
STANDARD OF REVIEW	The denial of motions for reargument and motions to reopen under Rule 60(b) is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Owen Stevens v. Mila Brown

TOPICS

- appellate jurisdiction
- family law procedure
- divorce
- equitable distribution
- motion for reconsideration

PRACTICE AREAS

- family law
- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the Family Court properly denied Stevens's motion for reargument as untimely.

2. Whether Stevens's untimely motion for reargument tolled the time to appeal the Family Court's underlying order dividing the marital estate.
3. Whether the Family Court abused its discretion by denying Stevens's motion to reopen the ancillary proceedings under Family Court Civil Procedure Rule 60(b)(1).

HOLDINGS

1. A motion for reargument under Family Court Civil Procedure Rule 59 must be filed within 15 days of the filing of the order sought to be reargued; Stevens's motion, filed more than 15 days after the February 17 order, was untimely.
2. An untimely motion for reargument does not toll the time to appeal the underlying Family Court order.
3. The Family Court did not abuse its discretion in denying Stevens's motion to reopen because he failed to demonstrate excusable neglect and had not satisfied the requirements for relief under Rule 60(b)(1).

KEY QUOTATIONS

“But Ex-Husband did not file his notice of appeal until May 13. The Court is therefore without jurisdiction to consider Ex-Husband’s arguments concerning the merits of the Family Court’s order dividing the marital estate.” (3)

“Under the circumstances, we conclude that the Family Court did not abuse its discretion when it declined to reopen the ancillary proceedings.” (4)

FACTUAL BACKGROUND

The parties married on June 1, 2012, and divorced after Brown petitioned for divorce and requested that the Family Court retain jurisdiction over ancillary matters. Stevens failed to complete his required ancillary financial disclosure, failed to respond to discovery, failed to comply with an order compelling discovery, and appeared at trial without evidence. The Family Court divided the marital assets 70% to 30% in Brown's favor, after which Stevens sought to reargue or reopen the ancillary proceedings.

PROCEDURAL HISTORY

The Family Court entered a divorce decree on March 13, 2024, and later divided the parties' marital assets 70% to 30% in favor of Mila Brown in a February 17, 2025 order. Stevens moved to reargue or reopen the ancillary proceedings under Family Court Civil Procedure Rules 59 and 60(b), but the Family Court denied the motion as untimely and unsupported. Stevens appealed that denial to the Delaware Supreme Court, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Shultz v. Satchel, 2019 WL 125677, at *2 (Del. Jan. 7, 2019)
- McDaniel v. DaimlerChrysler Corp., 860 A.2d 321, 323 (Del. 2004)

- Rash v. Wilkins, 2007 WL 2827685, at *2 (Del. Oct. 1, 2007)

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