

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PERRY BUCKNER,	§	
	§	No. 469, 2008
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID No. 9910020658
Appellee.	§	

Submitted: September 22, 2008
Decided: November 24, 2006

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

ORDER

This 24th day of November 2008, upon consideration of the appellant's untimely notice of appeal,¹ the Clerk's notice directing the appellant to show cause why the appeal should not be dismissed, and the appellant's response to the notice to show cause, it appears to the Court that this appeal should be dismissed. The appellant's failure to timely file his notice of appeal is not attributable to court-related personnel. Consequently, this case does not fall

¹The notice of appeal was filed on September 15, 2008 from an order of the Superior Court docketed on August 13, 2008. See Del. Supr. Ct. R. 6(a) (providing for thirty-day period to file notice of appeal).

within the exception to the general rule that mandates the timely filing of a notice of appeal.²

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice

²*Bey v. State*, 402 A.2d 362, 363 (Del. 1979).