

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL ALBANESE,	§
	§ No. 134, 2017
Defendant Below-	§
Appellant,	§
	§ Court Below—Court of Common Pleas
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID 1506020125
	§
Plaintiff Below-	§
Appellee.	§

Submitted: April 4, 2017
Decided: April 20, 2017

Before **STRINE**, Chief Justice; **VALIHURA** and **SEITZ**, Justices.

ORDER

This 20th day of April 2017, it appears to the Court that:

(1) On March 27, 2017, the Court received the appellant’s notice of appeal from a Court of Common Pleas order sentencing him for a violation of probation. The Senior Court Clerk issued a notice under Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal directly from the Court of Common Pleas.¹

¹Del. Const. art. IV, § 11(1)(b).

(2) The appellant filed a response to the notice to show cause on April 4, 2017. His response does not address the jurisdictional defect.

(3) This Court has no jurisdiction to consider an appeal directly from the Court of Common Pleas.² In the absence of jurisdiction, the appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED that the appeal is DISMISSED.

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice

²*Id.*