



related to a dispute that Wyatt had with a former medical provider and his desire to obtain medical records. Although the claims that Wyatt asserted in the complaint against the appellees are difficult to discern, it appears that he desired to assert causes of action arising from breach of contract and/or legal malpractice. Among many other exhibits, the complaint attached a letter from Spence to Wyatt dated July 28, 2017, stating that the appellees would not be providing any additional legal services or taking any further action regarding Wyatt's dispute with his former medical provider.

(3) The appellees moved to dismiss the complaint, asserting, among other things, that it was time-barred. After a hearing on the motion, in which the parties participated by telephone, the Superior Court dismissed the complaint with prejudice on the grounds that it was barred by the applicable statutes of limitations. Wyatt filed a "motion for reconsideration," which the Superior Court denied. Wyatt has appealed to this Court.

(4) We affirm the Superior Court's judgment. Wyatt's claims, whether sounding in legal malpractice or contract, arise out of the parties' brief attorney-client relationship, which ended in July 2017. Claims arising from breach of contract or legal malpractice are governed by a three-year statute of limitations.<sup>1</sup> Wyatt filed

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<sup>1</sup> See 10 *Del. C.* § 8106(a) (setting forth actions that are subject to a three-year statute of limitations); *Lehman Bros. Holdings, Inc. v. Kee*, 2021 WL 5816615, at \*4 (Del. Dec. 6, 2021) ("Generally, a party harmed by a tort, breach of contract, or similar wrong must file suit within

his complaint in February 2021, after the three-year limitations period had expired. We find no basis in the record to conclude that the limitations period was tolled, whether by this Court’s administrative orders relating to the COVID-19 pandemic or otherwise.<sup>2</sup>

(5) The appellees have also requested that the Court strike Wyatt’s appendix because it does not conform with this Court’s rules and award them costs for responding to this appeal. “The Court affords *pro se* litigants a degree of leniency in filing documents on appeal.”<sup>3</sup> The appellees’ requests are denied.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.  
Chief Justice

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three years of when that cause of action accrued . . . .”); *ISN Software Corp. v. Richards, Layton & Finger, P.A.*, 226 A.3d 727, 732 (Del. 2020) (“Under 10 *Del. C.* § 8106(a), a legal malpractice claim must be filed within ‘3 years from the accruing of the cause of such action.’” (quoting the statute)).

<sup>2</sup> See *In re Covid-19 Precautionary Measures*, Administrative Order No. 7, ¶ 7 (Del. June 5, 2020) (“Statutes of limitations and statutes of repose that would otherwise expire during the period between March 23, 2020 and June 30, 2020 are extended through July 1, 2020. Deadlines, statutes of limitations, and statutes of repose that are not set to expire between March 23, 2020 and June 30, 2020 are not extended or tolled by this order.”); see also *Yelardy v. State*, 2022 WL 39528, at \*1 & n.1 (Del. Jan. 4, 2022) (explaining the effect of the administrative order on filing deadlines).

<sup>3</sup> *Beck v. Delaware Attorney General*, 2018 WL 619708 (Del. Jan. 29, 2018).