

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|---------------------------|----------------------------|
| MYLES SHAW, ¹ | § |
| | § |
| Respondent Below, | § No. 270, 2023 |
| Appellant, | § |
| | § Court Below—Family Court |
| v. | § of the State of Delaware |
| | § |
| DIVISION OF CHILD SUPPORT | § File No. CK21-01585 |
| SERVICES/CLARE PAYNE Y | § Petition No. 22-24383 |
| PAYNE, | § |
| | § |
| Petitioner Below, | § |
| Appellee. | § |

Submitted: August 10, 2023

Decided: August 11, 2023

Before **SEITZ**, Chief Justice; **LeGROW** and **GRIFFITHS**, Justices.

ORDER

After consideration of the notice to show cause and the response, it appears to the Court that:

(1) On August 4, 2023, the appellant, Myles Shaw, filed this appeal from a Family Court Commissioner’s order, dated July 20, 2023, requiring him to pay child support. The Senior Court Clerk issued a notice directing Shaw to show cause why this appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal directly from a Family Court Commissioner’s order.

¹ The Court previously assigned pseudonyms to the parties under Supreme Court Rule 7(d).

(2) In his response to the notice to show cause, Shaw challenges the merits of the order on appeal. He does not address the jurisdictional defect.

(3) A party's right to appeal from a Commissioner's order is to a judge of the Family Court.² This Court lacks jurisdiction to consider an appeal directly from a Family Court Commissioner's order.³ This appeal must therefore be dismissed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice

² 10 *Del. C.* § 915(d) (providing that a party may appeal a final or interim order of a Family Court Commissioner to a Family Court judge within 30 days of the Commissioner's order); Family Court Civil Rule 53.1(a), (b) (same).

³ See, e.g., *Clark v. Cook*, 2023 WL 1809031, at *1 (Del. Feb. 7, 2023) (dismissing appeal from Family Court Commissioner's order for lack of jurisdiction); *Wilson v. Div. of Child Support Servs./Ridgeway*, 2021 WL 5028375, at *1 (Del. Oct. 28, 2021) (same).