

IN THE SUPREME COURT OF THE STATE OF DELAWARE

REYNOLDS C. ABRAMS,	§
	§ No. 325, 2013
Plaintiff Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
BUNNY V. LAMOTTE,	§ C.A. No. N10C-09-087
	§
Defendant Below-	§
Appellee.	§

Submitted: July 3, 2013
Decided: July 15, 2013

Before **HOLLAND**, **BERGER** and **JACOBS**, Justices

ORDER

This 15th day of July 2013, it appears to the Court that:

(1) On June 26, 2013, the Court received the appellant’s notice of appeal from the May 1, 2013 Superior Court jury verdict. Pursuant to Supreme Court Rule 6, a timely notice of appeal from a May 1, 2013 order of the Superior Court should have been filed on or before May 31, 2013.

(2) On June 26, 2013, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. The appellant filed a response to the notice to show cause on July 3, 2013. In the response, the

appellant states that he does not believe his counsel represented him properly at trial.

(3) Pursuant to Rule 6(a) (1), a notice of appeal in a civil case must be filed in the Office of the Clerk of the Court within 30 days after entry upon the docket of the judgment, order or decree from which the appeal is taken. Time is a jurisdictional requirement.¹ A notice of appeal must be received by the Office of the Clerk within the applicable time period in order to be effective.² An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Rule 6.³ Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his appeal may not be considered.⁴

(4) There is nothing in the record reflecting that the appellant's failure to file a timely notice of appeal is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal. Thus, the Court concludes that this appeal must be dismissed.

¹ *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

² Supr. Ct. R. 10(a).

³ *Carr v. State*, 554 A.2d at 779.

⁴ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.⁵

BY THE COURT:

/s/ Carolyn Berger
Justice

⁵ Moreover, as is reflected on the Superior Court docket, a final order has not yet issued in this case. As such, this appeal also must be dismissed for the appellant's failure to comply with the requirements of Rule 42 when taking an appeal from an apparent interlocutory order, as previously ordered by this Court. *Abrams v. Lamotte*, Del. Supr., No. 287, 2013, Holland, J. (June 17, 2013).