

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES A. WILSON,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

No. 446, 2003

Court Below: Superior Court of
the State of Delaware in and for
New Castle County

C.A. No. 02M-02-021-JEB

Submitted: September 29 , 2003

Decided: October 16, 2003

Before **VEASEY**, Chief Justice, **HOLLAND** and **JACOBS**, Justices.

ORDER

This 16th day of October 2003, upon consideration of the appellant's untimely notice of appeal, the notice to show cause issued by the Clerk, and the appellant's response thereto, it appears that the appellant's failure to timely file his appeal is not attributable to court-related personnel.* Accordingly, this Court has no jurisdiction to hear this untimely appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 6 and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice

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