

IN THE SUPREME COURT OF THE STATE OF DELAWARE

EDWARD RODRIGUEZ,	§
	§ No. 459, 2002
Defendant Below,	§
Appellant,	§ Court Below: Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§
STATE OF DELAWARE,	§ Cr. ID No. 9812009411
	§
Plaintiff Below,	§
Appellee.	§

Submitted: August 21, 2002

Decided: August 29, 2002

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

**ORDER**

This 29<sup>TH</sup> day of August 2002, 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. *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

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/Joseph T. Walsh  
Justice