

IN THE SUPREME COURT OF THE STATE OF DELAWARE

EVERGREEN WASTE SERVICES,	§
	§ No. 293, 2011
Appellant,	§
	§
v.	§
	§
UNEMPLOYMENT INSURANCE	§
APPEAL BOARD,	§
	§
Appellee.	§

Submitted: June 21, 2011
Decided: June 30, 2011

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

ORDER

This 30th day of June 2011, it appears to the Court that:

(1) On June 9, 2011, the Court received the corporate appellant's notice of appeal from the May 25, 2011 decision of the Unemployment Insurance Appeal Board ("UIAB") granting unemployment benefits to an employee of the appellant. The appeal was filed by the corporation itself and not by an attorney representing the corporation.

(2) On June 9, 2011, 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 because this Court lacks jurisdiction to entertain an appeal directly from the UIAB. The appellant filed a response to the notice

to show cause on June 21, 2011. In the response, the appellant states only that the employee failed to pass a drug test and does not address the jurisdictional issue.

(3) This Court lacks jurisdiction to entertain an appeal directly from the UIAB.¹ Moreover, this Court may not entertain an appeal by a corporation where the corporation is not represented by counsel.² Because the appellant's appeal fails to invoke the jurisdiction of this Court, it must be dismissed.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice

¹ Del. Const. art. IV, §11.

² *Transpolymer Indus., Inc. v. Chapel Main Corp.*, Del. Supr., No. 284, 1990, Horsey, J. (Sept. 18, 1990).