

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GARY M. ALLEN,	§
	§ No. 674, 2002
Defendant Below,	§
Appellant,	§ Court Below: Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§ Cr. A. Nos. IN78-04-0415,
STATE OF DELAWARE,	§ IN92-05-0052, and IN92-08-0446
	§ Cr. ID No. 86010663DI
Plaintiff Below,	§
Appellee.	§

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

ORDER

This 24th day of January 2003, upon consideration of the appellant's untimely notice of appeal, the notice to show cause issued by the Clerk, the appellant's response thereto and the appellee's Memorandum in Support of Dismissal, 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/Joseph T. Walsh
Justice

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