

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILES JAGGER,	§
	§ No. 526, 2019
Respondent Below,	§
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ C.A. No. 17I-01117
Petitioner Below,	§
Appellee.	§

Submitted: December 26, 2019
Decided: December 30, 2019

Before **SEITZ**, Chief Justice; **VAUGHN**, and **TRAYNOR**, Justices.

ORDER

Upon consideration of the notice to show cause and the appellant’s response, it appears to the Court that:

(1) On December 9, 2019, the appellant, Miles Jagger, filed a notice of appeal from a Superior Court Commissioner’s order, dated November 22, 2019, which mandated that Jagger receive involuntary outpatient treatment over his objection. The Senior Court Clerk issued a notice directing Jagger to show cause why this appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal directly from a Superior Court Commissioner’s order.

(2) Jagger filed a response to the notice to show cause on December 26, 2019. In his response, Jagger argues he is entitled to relief from the Superior Court Commissioner's order. He does not, however, address the jurisdictional issue raised in the notice to show cause.

(3) The right of review of a Superior Court Commissioner's order is to a judge of the Superior Court.¹ In the absence of intermediate review by a Superior Court judge, this Court is without jurisdiction to hear an appeal from any action taken by a Commissioner.²

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rule 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice

¹ Del. Super. Ct. Civ. R. 132(a)(4)(ii).

² *Johnson v. State*, 884 A.2d 475, 479 (Del. 2005).