

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GARY RILEY,	§
	§ No. 336, 2003
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. 9705008339
	§
Plaintiff Below,	§
Appellee.	§

Submitted: July 15, 2003

Decided: August 4, 2003

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

**ORDER**

This 4<sup>th</sup> day of August 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/ Myron T. Steele  
Justice

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