

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|----------------------------|--------------------------------|
| PAULA ALCOCK, | § |
| | § No. 295, 2012 |
| Plaintiff Below- | § |
| Appellant, | § |
| | § Court Below—Superior Court |
| v. | § of the State of Delaware |
| | § in and for New Castle County |
| RESIDENCE INN BY MARRIOTT, | § C.A. No. 11A-08-009 |
| INC. and UNEMPLOYMENT | § |
| INSURANCE APPEAL BOARD, | § |
| | § |
| Defendants Below- | § |
| Appellees. | § |

Submitted: June 26, 2012

Decided: July 12, 2012

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices

ORDER

This 12th day of July 2012, it appears to the Court that:

(1) On May 31, 2012, the Court received the appellant’s notice of appeal from the Superior Court’s order, dated and docketed on April 5, 2012, affirming the decision of the Unemployment Insurance Appeal Board, which denied the appellant unemployment insurance benefits. Pursuant to Supreme Court Rule 6, a timely notice of appeal from the Superior Court’s April 5, 2012 order should have been filed on or before May 7, 2012.

(2) On June 1, 2012, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why her appeal

should not be dismissed as untimely filed. The appellant filed her response to the notice to show cause on June 26, 2012. In the response, she states that, due to financial stress, she is no longer able to afford internet access, which enabled her to check her correspondence with the Supreme Court. The appellant offers no other reason why she did not file a timely notice of appeal.

(3) Pursuant to Rule 6(a), a notice of appeal must be filed within 30 days after entry upon the docket of the judgment or order being appealed. Time is a jurisdictional requirement.¹ A notice of appeal must be received by the Office of the Clerk of the Court within the applicable time period in order to be effective.² An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Rule 6.³ Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his or her appeal may not be considered.⁴

(4) There is nothing in the record before us reflecting that the appellant's failure to file a timely notice of appeal is attributable to court-related personnel. Consequently, this case does not fall within the exception

¹ *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

² Supr. Ct. R. 10(a).

³ *Carr v. State*, 554 A.2d at 779.

⁴ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

to the general rule that mandates the timely filing of a notice of appeal.

Thus, the Court concludes that this appeal must be dismissed.

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

BY THE COURT:

/s/ Myron T. Steele
Chief Justice