

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALFRED M. LEWIS, JR.,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

No. 520, 2002

Court Below: Superior Court of
the State of Delaware in and for
New Castle County
Cr.A. No. IN99-05-0946 and -1349
Cr. ID No. 9905004987

Submitted: September 25, 2002

Decided: October 7, 2002

Before **WALSH, HOLLAND** and **BERGER**, Justices.

ORDER

This 7th day of October 2002, upon consideration of the appellant's untimely notice of appeal, the notice of 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. *Bey v. State*, 402 A.2d 362, 363 (Del. 1979). 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/ Randy J. Holland
Justice

