

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JEANNETTE LONGSHORE,	§	
	§	
Defendant Below-	§	No. 14, 2004
Appellant,	§	
	§	
v.	§	Court Below---Superior Court
	§	of the State of Delaware,
	§	in and for New Castle County
CHASE MANHATTAN	§	C.A. No. 03L-03-017
MORTGAGE CORPORATION,	§	
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: January 14, 2004
Decided: March 8, 2004

Before **HOLLAND, STEELE** and **JACOBS**, Justices

ORDER

This 8th day of March 2004, it appears to the Court that:

(1) On January 12, 2004, the Court received appellant Jeannette Longshore's notice of appeal from an order of the Superior Court dated December 4, 2003. In the order, the Superior Court granted the motion of appellee Chase Manhattan Mortgage Corporation for a rule to show cause and issued a writ of possession to the Sheriff of New Castle County directing him to cause Delaware House and Home, Inc. ("DHHI") to have possession of the property located at 27 N. Tribbett Avenue, Bear, Delaware 19701. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before January 5, 2004.

(2) On January 14, 2004, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. On February 17, 2004, the notice was returned as “unclaimed” and was re-sent via first class mail the same date. On March 1, 2004, the appellant filed a pleading captioned “The Lord’s Pray,” apparently in response to the notice to show cause. The pleading does not address the timeliness issue.

(3) Time is a jurisdictional requirement.¹ A notice of appeal must be received by the Office of the Clerk of this 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 Supreme Court 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 appeal may not be considered.⁴

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

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).

rule that mandates the timely filing of a notice of appeal. Thus, the Court concludes that the appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the appeal is DISMISSED.⁵

BY THE COURT:

/s/ Myron T. Steele
Justice

⁵ The motions to dismiss of appellee and DHHI are hereby dismissed as moot.