

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRUCE GRONENTHAL,	§
	§
Defendant Below-	§ No. 301, 2004
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9807001798
Plaintiff Below-	§
Appellee.	§

Submitted: July 25, 2005
Decided: July 29, 2005

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

ORDER

This 29th day of July 2005, it appears to the Court that:

(1) On July 8, 2005, the Court received the appellant's notice of appeal from a Superior Court order dated June 3, 2005. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before July 5, 2005.

(2) 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.¹ The appellant filed a response to the notice to show cause on July 25, 2005. The appellant's response does not address the timeliness issue.

¹Del. Supr. Ct. R. 6(a) (ii).

(3) Time is a jurisdictional requirement.² 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.³ An appellant's pro se status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6.⁴ Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his appeal cannot be considered.⁵

(4) There is nothing in the record that reflects that 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 rule that mandates the timely filing of a notice of appeal. Thus, the Court concludes that the within appeal must be dismissed.

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

BY THE COURT:

/s/ Carolyn Berger
Justice

²*Carr v. State*, 554 A.2d 778, 779 (Del.), cert. denied, 493 U.S. 829(1989).

³Del. Supr. Ct. R. 10(a).

⁴*Carr v. State*, 554 A.2d at 779.

⁵*Bey v. State*, 402 A.2d 362, 363 (Del. 1979).