

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAYMOND KISER and GLADYS
KISER,

Defendants Below,
Appellants,

v.

U.S. BANK NATIONAL
ASSOCIATION f/k/a FIRST BANK
NATIONAL ASSOCIATION
TRUST U/A DATED 1/1/96 (EQCC
HOME EQUITY LOAN TRUST
1996-1), ASSIGNEE OF
EQUICREDIT CORPORATION OF
AMERICA, ASSIGNEE OF
EQUICREDIT CORPORATION OF
DE,

Plaintiff Below,
Appellee.

No. 464, 2005

Court Below: Superior Court of
the State of Delaware in and for
Sussex County

C.A. No. 03L-06-021

Submitted: October 14, 2005

Decided: November 16, 2005

Before **STEELE**, Chief Justice, **BERGER** and **RIDGELY**, Justices.

ORDER

This 16th day of November 2005, upon consideration of the appellants' untimely notice of appeal, the notice to show cause issued by the Clerk, and the appellant's response thereto, it appears that the appellants' failure to timely file their 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

Chief Justice

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