

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RICHARD DUKES,

Defendant Below,  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,  
Appellee.

No. 506, 2006

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

Cr. ID No. 0404010466B

Submitted: September 28, 2006

Decided: October 16, 2006

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

ORDER

This 16th day of October 2006, upon consideration of the appellant's untimely notice of appeal, the notice to 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.\* 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

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