

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID J. BUCHANAN,	§	
	§	No. 511, 2006
Respondent Below,	§	
Appellant,	§	Court Below--Family Court of
	§	the State of Delaware in and for
v.	§	Sussex County.
	§	
DCSE/BARBARA BUCHANAN,	§	
	§	File No. CS94-3107
Petitioner Below,	§	Petition No. 02-34657
Appellee.	§	

Submitted: September 19, 2006
Decided: October 16, 2006

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

ORDER

This 16th day of October 2006, it appears to the Court that:

(1) On September 19, 2006, the appellant, David J. Buchanan, filed a notice of appeal from a Family Court Commissioner's order dated August 28, 2006. The Commissioner's order revoked the appellant's support obligation and increased the monthly payment due on the balance remaining in arrears.

(2) This Court is without jurisdiction to consider an appeal directly from a Commissioner's order.¹ Thus, the Court concludes, pursuant to

¹ See Del. Code Ann. tit. 10, § 915(d)(1) (1999 & Supp. 2004) (providing that a party's appeal from a commissioner's final order is to a judge of the Family Court in the first

Supreme Court Rule 29(c), that the within appeal, on its face, manifestly fails to invoke the jurisdiction of the Court and is subject to dismissal *sua sponte*.²

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

BY THE COURT:

/s/ Randy J. Holland
Justice

instance); Del. Fam. Ct. Civ. R. 53.1(b) (2006) (providing that an appeal to a judge must be filed within ten days of the commissioner's order); *Redden v. McGill*, 549 A.2d 695, 698 (Del. 1988) (holding that Supreme Court's appellate jurisdiction over Family Court proceedings is limited to decisions of judges).

² See Del. Supr. Ct. R. 29(c) (2006) (providing that the Court may order an appeal dismissed, *sua sponte*, when the appeal manifestly fails on its face to invoke the jurisdiction of the Court and where the Court concludes, in the exercise of its discretion, that giving notice of the jurisdictional defect would serve no meaningful purpose and that a response from the appellant would be of no avail).