

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEITH A. HICKS,	§
	§ No. 480, 2002
Defendant Below,	§
Appellant,	§ Court Below: Superior Court
	§ of the State of Delaware,
v.	§ in and for Kent County
	§
STATE OF DELAWARE,	§ C.A. No. 02M-02-015
	§
Plaintiff Below,	§
Appellee.	§

Submitted: August 28, 2002  
Decided: September 18, 2002

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

**ORDER**

This 18<sup>th</sup> day of September 2002, 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. *Bey v. State*, 402 A.2d 362, 363 (Del. 1979). 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/Joseph T. Walsh  
Justice