

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BERNARD WOODS,	§
	§
Defendant Below,	§ No. 153, 2017
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 0708031045
	§
Plaintiff Below,	§
Appellee.	§

Submitted: April 25, 2017

Decided: April 26, 2017

Before **STRINE**, Chief Justice; **VALIHURA** and **SEITZ**, Justices.

ORDER

This 26th day of April 2017, it appears to the Court that:

(1) In 2016, the Court directed the Clerk of the Court to refuse any filings from the appellant, Bernard Woods, relating to his 2008 convictions and sentence, unless the filing was accompanied by the required filing fee or a completed motion to proceed *in forma pauperis* with a sworn affidavit containing the certifications required by 10 *Del. C.* § 8803(e) and that motion was granted by the Court.¹ On April 10, 2017, Woods filed a notice of appeal from a Superior Court order

¹ *Woods v. State*, 2016 WL 521248, at *2 (Del. Feb. 9, 2016) (finding Woods falsely certified in his motion and affidavit to proceed *in forma pauperis* that he had never been found by any court to have abused the judicial process by filing frivolous litigation and that the claims raised in the matter had never been raised or disposed of before in any court).

denying his motion for correction of his 2008 sentence. The Senior Court Clerk issued a notice directing Woods to show cause why this appeal should not be dismissed for his failure to pay the required filing fee or a motion to proceed *in forma pauperis* in compliance with 10 *Del. C.* § 8803(e) as required by this Court's February 9, 2016 order.

(2) In response to the notice to show cause, Woods argues the merits of his appeal. Woods has not paid the required filing fee or a motion to proceed *in forma pauperis* in compliance with 10 *Del. C.* § 8803(e) as required by this Court's February 9, 2016 order. Woods' notice of appeal is therefore not approved for filing and must be dismissed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice