IN THE SUPREME COURT OF THE STATE OF DELAWARE

AARON CARTER,	§	
	§	No. 597, 2013
Defendant Below-	§	
Appellant,	§	
	§	Court Below—Superior Court
v.	§	of the State of Delaware
	§	in and for New Castle County
STATE OF DELAWARE,	§	Cr. ID No. 0105020018A
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: November 6, 2013
Decided: November 8, 2013

Before **HOLLAND**, **JACOBS** and **RIDGELY**, Justices

O R D E R

This 8th day of November 2013, it appears to the Court that:

(1) On October 29, 2013, the Court received the appellant's notice of appeal from the Superior Court's order, dated and docketed on June 18, 2013, which denied his motion for postconviction relief pursuant to Superior Court Criminal Rule 61. Pursuant to Supreme Court Rule 6, a timely notice of appeal from the June 18, 2013 order should have been filed on or before July 18, 2013.

(2) On October 29, 2013, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. The appellant filed his

response to the notice to show cause on November 6, 2013. The appellant states that he is awaiting certain medical records to substantiate his claims. He asks this Court to grant an extension of time in which to file his appeal.

(3) Pursuant to Supreme Court Rule 6(a) (iii), a notice of appeal in any proceeding for postconviction relief must be filed within 30 days after entry upon the docket of the judgment or order being appealed. Time is a jurisdictional requirement.[1] A notice of appeal must be received by the Office of the Clerk of this Court within the applicable time period in order to be effective.[2] An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6.[3] Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his appeal may not be considered.[4]

(4) There is nothing in the record before us reflecting that the appellant's failure to file a timely notice of appeal in this case is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule mandating the timely filing of a notice of appeal. Thus, the Court concludes that this appeal must be dismissed.

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[1] *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).
[2] Supr. Ct. R. 10(a).
[3] *Carr v. State*, 554 A.2d at 779.
[4] *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

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

BY THE COURT:

/s/ Randy J. Holland
Justice