IN THE SUPREME COURT OF THE STATE OF DELAWARE

OBENS LAMOUR,	§	
	§	No. 584, 2013
Defendant Below-	§	
Appellant,	§	
	§	Court Below—Superior Court
v.	§	of the State of Delaware
	§	in and for Kent County
STATE OF DELAWARE,	§	Cr. ID No. 0210002672
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: November 14, 2013
Decided: November 18, 2013

Before **HOLLAND**, **BERGER** and **JACOBS**, Justices

O R D E R

This 18th day of November 2013, it appears to the Court that:

(1) On November 5, 2013, the Court received the appellant's notice of appeal from the Superior Court's order, dated and docketed on September 11, 2013, which denied the appellant's motion for sentence modification. Pursuant to Supreme Court Rule 6, a timely notice of appeal from the Superior Court's September 11, 2013 order should have been filed on or before October 11, 2013.

(2) On November 5, 2013, the Clerk issued a notice pursuant to Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. The appellant filed his response on

November 14, 2013. The appellant states that his untimely filing should be excused because he mistakenly filed a timely appeal in the Superior Court.

(3) Pursuant to Rule 6(a) (iii), a notice of appeal must be filed in the Supreme Court within 30 days after entry upon the Superior Court 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 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 Court is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates 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/ Carolyn Berger
Justice