IN THE SUPREME COURT OF THE STATE OF DELAWARE

ERIC F. CLARKE,[1]	§	
	§	No. 368, 2013
Petitioner Below,	§	
Appellant,	§	
	§	Court Below–Family Court
v.	§	of the State of Delaware,
	§	in and for New Castle County
TAMMY C. CLARKE,	§	File No. CN99-10284
	§	Petition No. 12-27092
Respondent Below,	§	
Appellee.	§	

Submitted: July 22, 2013
Decided: July 26, 2013

Before **BERGER**, **JACOBS** and **RIDGELY**, Justices.

O R D E R

This 26th day of July 2013, it appears to the Court that:

(1) On July 11, 2013, the Court received the appellant's notice of appeal from an order of the Family Court, dated and docketed on May 6, 2013, which dismissed his untimely request for review of a commissioner's order. Pursuant to Supreme Court Rule 6, a timely notice of appeal from the Family Court's order should have been filed on or before June 5, 2013.

(2) On July 11, 2013, the Clerk issued a notice pursuant to Rule 29(b) directing the appellant to show cause why the appeal should not be

[1] The Court *sua sponte* assigned pseudonyms to the parties by Order dated July 12, 2013. SUPR. CT. R. 7(d).

dismissed as untimely filed. The appellant filed a response to the notice to show cause on July 22, 2013. The appellant states that he disagrees with his treatment by the Family Court and the Delaware State Police. The appellant provides no other explanation for filing an untimely notice of appeal.

(3) Pursuant to Rule 6(a) (i), a notice of appeal must be filed within 30 days after entry upon the docket of the judgment or order being appealed. Time is a jurisdictional requirement.[2] A notice of appeal must be received by the Office of the Clerk of the Court within the applicable time period in order to be effective.[3] An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Rule 6.[4] Unless the appellant can demonstrate that his failure to file a timely notice of appeal is attributable to court-related personnel, his appeal may not be considered.[5]

(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

[2] *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

[3] SUPR. CT. R. 10(a).

[4] *Carr v. State*, 554 A.2d at 779.

[5] *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

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.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice