IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL BROWN,	§	
	§	
Defendant Below-Appellant,	§	No. 630, 2013
	§	
	§	
v.	§	Court Below—Superior Court
	§	of the State of Delaware,
STATE OF DELAWARE,	§	in and for New Castle County
	§	Cr. ID 0412008486
Plaintiff Below-Appellee.	§	
	§	

Submitted: November 22, 2013
Decided: December 4, 2013

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

O R D E R

This 4th day of December 2013, it appears to the Court that:

(1) On November 14, 2013, the Court received appellant's notice of appeal from a Superior Court order, dated July 18, 2013, which denied appellant's motion for postconviction relief. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before August 19, 2013.

(2) The Senior Court Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing appellant to show cause why the appeal should not be dismissed as untimely filed.[1] Appellant filed a response to the notice to show

[1]Del. Supr. Ct. R. 6(a)(iii).

cause on November 22, 2013. He asserts that he timely mailed his notice of appeal on August 6, 2013. He attaches a copy of a prison mail log reflecting his outgoing mail. Appellant contends that his untimely filing was the result of court-related personnel and therefore must be excused.

(3) We disagree. Time is a jurisdictional requirement.[2] 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.[3] An appellant's pro se status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6.[4] The appellant's mail log and documentation in this case reflects that he sent mail to the Department of Justice on August 6, 2013. The Department of Justice is *not* the Office of the Clerk of this Court. The appellant's untimely filing, therefore, is attributable to his own error and is not the result of court-related personnel.

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

BY THE COURT:

/s/ Carolyn Berger
Justice

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[2]*Carr v. State*, 554 A.2d 778, 779 (Del.), *cert. denied*, 493 U.S. 829 (1989).

[3]Del. Supr. Ct. R. 10(a).

[4]*Smith v. State*, 47 A.3d 481, 486-87 (Del. 2012).