IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHNNY R. HONAKER,	§	
	§	
Defendant Below-Appellant,	§	No. 17, 2013
	§	
	§	Court Below—Superior Court
v.	§	of the State of Delaware,
	§	in and for Sussex County
STATE OF DELAWARE,	§	
	§	Cr. ID 0212006828
Plaintiff Below-Appellee.	§	
	§	

Submitted: February 11, 2013
Decided: February 12, 2013

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

O R D E R

This 12th day of February 2013, it appears to the Court that:

(1) On January 14, 2013, the Court received appellant's notice of appeal from a Superior Court December 10, 2012 order that denied his motion for postconviction relief. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before January 9, 2013.

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

[1]DEL. SUPR. CT. R. 6(a)(iii) (2013).

February 11, 2013. His response does not address the jurisdictional bar imposed by the untimely notice of appeal.

(3) 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] In this case, appellant has not demonstrated that his failure to file a timely notice of appeal is attributable to court-related personnel.[5] Thus, his appeal cannot be considered.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice

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

[3]DEL. SUPR. CT. R. 10(a) (2013).

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

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