

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF
DOROTHY FRANKLIN, a
disable person

§ No. 255, 2018
§
§ Court Below—Court of Chancery
§ of the State of Delaware
§
§ C.M. No. 18522-K

Submitted: June 6, 2018
Decided: June 19, 2018

Before **STRINE**, Chief Justice; **SEITZ** and **TRAYNOR**, Justices

ORDER

Upon consideration of the notice to show cause and the appellant's response, it appears to the Court that:

(1) On May 10, 2018, the Court received Gerald Franklin's ("Franklin") notice of appeal from a Court of Chancery order dated August 16, 2017, overruling his exceptions and affirming the Master's Report appointing the Office of the Public Guardian as guardian of the person and property of his mother, Dorothy Franklin.

(2) The Clerk issued a notice directing Franklin to show cause why his appeal should not be dismissed as untimely.¹ Franklin filed a response to the notice to show cause on June 6, 2018. His response does not address the untimeliness of his appeal.

¹ Del. Supr. Ct. R. 6(a)(i).

(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 Unless an appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, the appeal cannot be considered.⁵ This case does not fall within that limited exception. Thus, the Court concludes that the appeal must be dismissed.

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal is DISMISSED.

BY THE COURT:

/s/ Gary F. Traynor
Justice

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).

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