

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CARLA COWAN,	§
	§ No. 109, 2021
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below – Court of Chancery
	§ of the State of Delaware
IMO THE REAL ESTATE OF	§
ALVIN DAVID SMITH, JR.,	§ C.A. No. 2019-1038-SEM
DECEASED,	§
	§
Plaintiff Below,	§
Appellee.	§

Submitted: May 7, 2021

Decided: June 4, 2021

Before **SEITZ**, Chief Justice; **TRAYNOR** and **MONTGOMERY-REEVES**, Justices.

**ORDER**

After consideration of the notice to show cause and the responses, it appears to the Court that:

(1) On April 14, 2021, the appellant, Carla Cowan, filed this appeal from a Court of Chancery Master’s order, dated March 19, 2021, granting the petition of the appellee, James Furlow, Jr., to sell certain real property. On April 16, 2021, the Court issued a notice directing Cowan to show why this appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal from a decision of a Court of Chancery Master.

(2) In her response to the notice to show cause, Cowan contends that filing exceptions to the Master's decision would have been futile because those exceptions would have been denied. She also argues the merits of her appeal. Furlow argues that this Court lacks jurisdiction to hear an appeal from the Master's order.

(3) This Court lacks jurisdiction to hear an appeal directly from any action taken by a Master.<sup>1</sup> Cowan's right to review of the Master's ruling was to a judge in the Court of Chancery.<sup>2</sup> Having failed to pursue that remedy, Cowan waived her right to any further review or appeal.<sup>3</sup>

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

BY THE COURT:

/s/ Tamika R. Montgomery-Reeves  
Justice

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<sup>1</sup> *In re Webb*, 2011 WL 4838972, at \*1 (Del. Oct. 12, 2011) (citing *Johnson v. State*, 884 A.3d 475, 479 (Del. 2005)).

<sup>2</sup> *Id.* (citing Del. Ch. Ct. R. 144).

<sup>3</sup> *Id.*