

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GERALD FRANKLIN,	§
	§
Plaintiff Below,	§ No. 215, 2022
Appellant,	§
	§ Court Below: Court of Common
v.	§ Pleas for the State of Delaware
	§
CITY OF DOVER INSPECTION	§ C.A. No. CPU5-20-000639
DEPARTMENT,	§
	§
Defendant Below,	§
Appellee.	§

Submitted: July 12, 2022

Decided: July 25, 2022

Before **VAUGHN, TRAYNOR**, and **MONTGOMERY-REEVES**, Justices.

ORDER

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

(1) The appellant, Gerald Franklin, filed a notice of appeal from a Court of Common Pleas order dated June 13, 2022, that granted the appellee’s motion to alter or amend the judgment to dismiss the action with prejudice. The Senior Court Clerk of this Court issued a notice directing Franklin to show cause why the appeal should not be dismissed based on this Court’s lack of jurisdiction to consider an appeal from the Court of Common Pleas. In response to the notice, Franklin appears to argue the merits of the appeal but does not address the Court’s lack of jurisdiction.

(2) This Court does not have jurisdiction to consider an appeal directly from the Court of Common Pleas.¹ In the absence of jurisdiction, the appeal must be dismissed.

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

BY THE COURT:

/s/ Gary F. Traynor
Justice

¹ DEL. CONST. art. IV, § 11; *Biggins v. Kliery*, 2017 WL 1381355 (Del. Apr. 17, 2017).