

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALTON HALL CANNON,	§	
	§	No. 392, 2022
Defendant Below,	§	
Appellant,	§	
	§	Court Below–Justice of the Peace
v.	§	Court of the State of Delaware
	§	
WILMA FORREST, ET AL.,	§	
	§	C.A. No. JP13-22-006909
Plaintiffs Below,	§	
Appellees.	§	

Submitted: October 27, 2022
Decided: November 18, 2022

Before **VALIHURA, VAUGHN**, and **TRAYNOR**, Justices.

ORDER

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

(1) On October 21, 2022, the appellant, Alton Hall Cannon, filed a notice of appeal from a Justice of the Peace Court order denying his motion to vacate a default judgment previously entered against him on September 16, 2022. The Senior Court Clerk issued a notice to Cannon to show cause why his appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal from the Justice of the Peace Court.

(2) Cannon has responded to the notice to show cause and argues, among other things, that permitting the Delaware court system to exercise jurisdiction over

him violates his First Amendment rights. Cannon does not address this Court's lack of jurisdiction to consider an appeal from the Justice of the Peace Court.

(3) It is manifest that this Court does not have jurisdiction over this appeal. A decision by a magistrate of the Justice of the Peace Court, whether in a civil or criminal case, is not directly appealable to this Court.¹ This appeal must therefore be dismissed.

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

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice

¹ *Kostyshyn v. City of Wilmington*, 2006 WL 2771733 (Del. Sept. 25, 2006) (citing Del. Const., art. IV, § 11).