

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHRISTOPHER CRAIG,	§
	§
Petitioner Below,	§ No. 156, 2024
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
ROBERT MAY, WARDEN and	§ C.A. No. N24M-02-096
TERRA TAYLOR,	§
COMMISSIONER,	§
	§
Respondents Below,	§
Appellees.	§

Submitted: May 23, 2024

Decided: June 7, 2024

Before **TRAYNOR, LEGROW, and GRIFFITHS**, Justices.

ORDER

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

(1) On April 12, 2024, the appellant, Christopher Craig, filed a notice of appeal of a Superior Court order, dated February 29, 2024, and docketed on March 11, 2024, dismissing his petition for a writ of mandamus as legally frivolous. Under Supreme Court Rule 6(a)(i), a timely notice of appeal should have been filed by April 10, 2024.

(2) The Senior Court Clerk issued a notice directing Craig to show cause why this appeal should not be dismissed as untimely filed. In his response to the

notice to show cause, Craig states that he mailed a letter expressing his intent to appeal on March 22, 2024, but this Court did not receive that letter, so he sent another letter. He asks that this appeal proceed because he has been challenging the revocation of his good time since 2018. The Department of Justice argues that Craig has not shown that his failure to file a timely appeal is attributable to court-related personnel.

(3) Time is a jurisdictional requirement.¹ 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.² An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6.³ Unless an appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, an untimely appeal cannot be considered.⁴

(4) Craig has not shown that his failure to file a timely notice of appeal is attributable to court-related personnel.⁵ Consequently, this case does not fall within the exception to the general rule that requires the timely filing of a notice of appeal, and this appeal must be dismissed.

¹ *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

² Supr. Ct. R. 10(a).

³ *Carr*, 554 A.2d at 779.

⁴ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

⁵ *See, e.g., Zuppo v. State*, 2011 WL 761523, at *1 (Del. Mar. 3, 2011) (noting that “[p]rison personnel are not court-related personnel” and “any delay allegedly caused by prison personnel cannot excuse an untimely appeal”).

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

BY THE COURT:

/s/ Abigail M. LeGrow
Justice