

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NAOMI GRANT,¹

Respondent Below,
Appellant,

v.

DEREK TYSON-DAVIS,

Petitioner Below,
Appellee.

§

§ No. 483, 2025

§

§ Court Below—Family Court
§ of the State of Delaware

§

§ File No. CN23-03309

§ Petition No. 25-11953

§

§

§

Submitted: December 31, 2025

Decided: January 20, 2026

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

ORDER

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

(1) On December 1, 2025, Naomi Grant (“Mother”) filed this appeal from a Family Court consent order, dated September 22, 2025, granting her joint legal custody and visitation with her children. A timely appeal of the order would have been filed by October 22, 2025. The Senior Court Clerk issued a notice directing Mother to show cause why the appeal should not be dismissed as untimely. In her

¹ The Court previously assigned pseudonyms to the parties under Supreme Court Rule 7(d).

response, Mother stated that incorrect information about filing an appeal and her job prevented her from filing a timely appeal.

(2) Time is a jurisdictional requirement.² 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.³ Mother contends that she was provided with the incorrect paperwork for filing a timely appeal, but the documents she submits in support of this claim are dated after the appeal deadline expired. Mother has not shown that her failure to file a timely appeal is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal.

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

BY THE COURT:

/s/ Gary F. Traynor
Justice

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

³ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).