

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CLAIRE ARIA ZIMMER, ¹	§
	§ No. 54, 2026
Petitioner Below,	§
Appellant,	§ Court Below—Family Court
	§ of the State of Delaware
v.	§
	§ File No. CN17-06619
JORDAN E. NICHOLS,	§ Petition No. 24-12011
	§
Respondent Below,	§
Appellee.	§

Submitted: February 25, 2026

Decided: March 30, 2026

Before **SEITZ**, Chief Justice; **LEGROW** and **GRIFFITHS**, Justices.

ORDER

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

(1) On February 5, 2026, Claire Aria Zimmer (“Mother”) filed this appeal from a Family Court decision, dated and docketed on January 5, 2026, modifying custody. A timely appeal of the order would have been filed by February 4, 2026. The Senior Court Clerk issued a notice directing Mother to show cause why the appeal should not be dismissed as untimely. In her response, Mother stated that she sent the notice of appeal by FedEx priority overnight delivery on February 3, 2026

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

with delivery to occur by noon on February 4, 2026, but FedEx failed to deliver the notice of appeal until February 5, 2026. Mother submitted documentation supporting her claim that FedEx failed to deliver the notice of appeal by the time she requested.

(2) Time is a jurisdictional requirement.² A notice of appeal must be received by the Office of the Clerk of this Court within the applicable time period to be effective.³ An appellant's pro se status does not excuse a failure to comply with the jurisdictional requirements of Supreme Court Rule 6.⁴ 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.⁵

(3) Mother has not shown that her failure to file a timely appeal is attributable to court-related personnel. She chose not to mail her notice of appeal until the day before the appeal deadline expired. FedEx's subsequent failure to deliver the notice before expiration of the deadline is not attributable to court-related

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

³ Del. Supr. Ct. R. 10(a).

⁴ *Carr*, 554 A.2d at 779.

⁵ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

personnel.⁶ Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal.⁷

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

BY THE COURT:

/s/ N. Christopher Griffiths
Justice

⁶ See, e.g., *Kreider v. State*, 49 A.3d 1193, 2012 WL 2979015, at *1 (Del. July 20, 2012) (TABLE) (recognizing that the employees of the United States Postal Service are not court personnel); *Hudson v. State*, 992 A.2d 1237, 2010 WL 1463230, at *1 (Del. Apr. 13, 2010) (TABLE) (“[P]ostal workers are not court-related personnel.”).

⁷ *Kreider*, 2012 WL 2979015, at *1 (dismissing untimely appeal); *Hudson*, 2010 WL 1463230, at *1 (dismissing untimely appeal).