

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TRISTAN JONES,	§
	§ No. 41, 2026
Petitioner Below, ¹	§
Appellant,	§ Court Below—Family Court of
	§ the State of Delaware
v.	§
	§ File No. CN25-02487
AVERY HOPKINS,	§ Petition No. 25-10084
	§
Respondent Below,	§
Appellee.	§

Submitted: August 14, 2026

Decided: October 9, 2026

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

ORDER

Upon consideration of the parties’ briefs and the record on appeal, it appears to the Court that:

(1) Tristan Jones filed this appeal from a Family Court order dismissing his petition for alimony and other ancillary relief. For the reasons discussed below, we reverse the Family Court’s judgment.

(2) Avery Hopkins filed a petition for divorce from Jones in May 2025. In his answer to the petition, Jones asked the Family Court to retain jurisdiction over ancillary matters, including alimony and property division. The court granted the

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

divorce petition and retained jurisdiction over ancillary matters. At the time, Jones was represented by counsel.

(3) On September 8, 2025, the court issued a letter and order to counsel for both parties setting the deadlines for the parties' ancillary financial disclosure report and warning that failure to comply with the Family Court Rules would result in sanctions, including the possible dismissal of claims. On November 20, 2025, the court issued a letter and order to counsel scheduling a case management teleconference for January 12, 2026.

(4) On December 17, 2025, Jones's counsel filed a motion to withdraw, which stated that Jones was aware of the reasons for the motion and the filing itself. The Family Court granted the motion to withdraw the same day it was filed. On January 5, 2026, Jones filed a motion to proceed as a pro se litigant and to file by email. The motion included Jones's phone number in multiple places.

(5) On January 12, 2026, the day of the teleconference, the court dismissed the petition for ancillary relief. The court's order stated that "The Petitioner failed to contact the Court with a phone number for the Case Management Conference as directed by the Case Management Letter & Order."² This appeal followed.

² Order (Fam. Ct. Jan. 12, 2026).

(6) On appeal, Jones argues that the Family Court erred in dismissing his petition for ancillary relief. He asserts, among other things, that the Family Court had his contact information. We review the Family Court's dismissal of a petition for failure to prosecute for abuse of discretion.³

(7) We conclude that the Family Court abused its discretion in dismissing Jones's petition. The court dismissed his petition for failing to provide a telephone number for the case management conference. At the time of the notice, however, Jones was represented by counsel. After counsel withdrew, Jones filed a motion to proceed pro se less than a week before the conference. The motion included his telephone number in multiple places, including the notice of motion, certificate of service, and cover email to the Family Court. We have not found anything in the record where the court provided notice to Jones, as a self-represented litigant, that he had to provide a telephone number for the case management conference. Also, the Family Court's dismissal order does not indicate that efforts to reach his telephone number for the case management conference were unsuccessful. Because Jones provided his telephone number to the Family Court before the case management conference, the Family Court's dismissal of his petition must be reversed.

³ *Beck v. Beck*, 766 A.2d 482, 485 (Del. 2001).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Family Court be REVERSED.

BY THE COURT:

/s/ Gary F. Traynor
Justice