

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRIAN F. WOOD, ¹	§	
	§	No. 582, 2006
Petitioner Below,	§	
Appellant,	§	Court Below—Family Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
DANA HUDSON,	§	File No. CN06-05486
	§	CPI No. 06-31728
Respondent Below,	§	
Appellee.	§	

Submitted: November 9, 2006

Decided: January 5, 2007

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

ORDER

This 5th day of January 2007, upon consideration of the Clerk's notice to show cause issued on October 31, 2006 for the appellant's failure to comply with Supreme Court Rule 42, and the appellant's response to the notice, it appears to the Court that:

(1) The appellant, Brian F. Wood, filed a petition for parentage determination in the Family Court. By order dated October 19, 2006, a Family Court Commissioner dismissed the petition without prejudice.

¹Pursuant to Supreme Court Rule 7(d), the names of the parties are pseudonyms selected *sua sponte* by the Court.

(2) On October 31, 2006, the Clerk issued a notice, pursuant to Supreme Court Rule 29(b), directing that Wood show cause why the appeal should not be dismissed for his failure to comply with Supreme Court Rule 42 when taking an appeal from an interlocutory order. Wood filed a response to the notice on November 9, 2006. Wood asks that the Court “assert[] jurisdiction over [the appeal]” and appoint counsel to represent him.

(3) With or without compliance with Supreme Court Rule 42, this Court is without jurisdiction to consider an appeal directly from a Commissioner’s order.² The appellate jurisdiction of this Court over civil proceedings in the Family Court is limited to decisions issued by the judges of that Court.³

(4) The Court concludes, pursuant to Supreme Court Rule 29(c), that Wood’s notice of appeal, on its face, manifestly fails to invoke the jurisdiction of the Court. In the exercise of the Court’s discretion, the Court finds that giving notice of dismissal would serve no meaningful purpose, and that any response to such notice would be of no avail.

²See *Postles v. Div. of Child Support Enforcement*, 2001 WL 1293065 (Del. Supr.) (citing *Redden v. McGill*, 549 A.2d 695, 698 (Del. 1988)).

³*Id.*

NOW, THEREFORE, IT IS ORDERED that this appeal is
DISMISSED, *sua sponte*, pursuant to Supreme Court Rule 29(c).

BY THE COURT:

/s/ Jack B. Jacobs
Justice