

SUPREME COURT OF THE STATE OF DELAWARE

Collick v. State

Collick · No. No. 402, 2025 · Decided December 2, 2025

SUMMARY

The Delaware Supreme Court dismissed Michael Collick’s appeal after he failed to file a notice of appeal and did not respond to a show-cause notice within the required period. The dismissal was deemed unopposed under Supreme Court Rules 3(b)(2) and 29(b).

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Karen L. Valihura
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	December 2, 2025
DOCKET	No. 402, 2025
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant sought to pursue an appeal after failing to file a notice of appeal and failing to respond to an order to show cause.
PRECEDENTIAL VALUE	Published
PARTIES	Michael Collick v. State of Delaware

TOPICS

- appellate procedure
- criminal procedure

PRACTICE AREAS

- appellate procedure
- criminal procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed because the appellant failed to file a notice of appeal as directed and failed to respond to the notice to show cause.

HOLDINGS

1. An appeal may be dismissed under Supreme Court Rules 3(b)(2) and 29(b) when the appellant fails to file the required notice of appeal and does not respond to a notice to show cause within the required period; the appeal was therefore dismissed as unopposed.

KEY QUOTATIONS

“The appellant having failed to respond to the notice to show cause within the required ten-day period or to file a notice of appeal, dismissal of this action is deemed unopposed.” (at 2)

FACTUAL BACKGROUND

Michael Collick submitted a motion and affidavit to proceed in forma pauperis. The Clerk's office directed him to file a notice of appeal, but he did not file one by the deadlines provided. After receiving a certified notice to show cause, he also failed to respond within the required ten-day period.

PROCEDURAL HISTORY

The appeal arose from the Superior Court of the State of Delaware in Criminal ID No. 2405011318. After receiving the appellant's motion and affidavit to proceed in forma pauperis, the Clerk's office directed him to file a notice of appeal. He failed to do so by the stated deadlines and then failed to respond within ten days to a certified notice to show cause why the appeal should not be dismissed. The Supreme Court dismissed the action as unopposed.

DISPOSITION

dismissed

OPINION

Collick v. State

PER CURIAM.

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL COLLICK, §

§ Defendant, § No. 402, 2025 Appellant, § § Court Below: Superior Court v. § of the State of Delaware § STATE OF DELAWARE, § Crim. ID No. 2405011318 (S) § Appellee. § Submitted: November 21, 2025 Decided: December 2, 2025

ORDER

On September 23, 2025, the Court received from the appellant a motion and affidavit to proceed in forma pauperis. In September and October, the Clerk's office sent the appellant letters directing him to file a notice of appeal. After he failed to do so by the deadlines provided, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why this appeal should not be dismissed because the appellant had not filed a notice of appeal as directed in the earlier correspondence. The appellant received the notice by November 10, 2025. The appellant

having failed to respond to the notice to show cause within the required ten-day period or to file a notice of appeal, dismissal of this action is deemed unopposed. NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED. BY THE COURT: /s/ Karen L. Valihura Justice 2

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