

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WEIH STEVE CHANG,	§	
	§	No. 419, 2016
Plaintiff Below,	§	
Appellant,	§	Court Below—Court of Chancery of
	§	the State of Delaware
v.	§	
	§	C.A. No. 11632
CHILDREN’S ADVOCACY	§	
CENTER OF DELAWARE, INC., <i>et</i>	§	
<i>al.</i> ,	§	
	§	
Defendants Below,	§	
Appellees.	§	

Submitted: January 31, 2017

Decided: February 9, 2017

Before **STRINE**, Chief Justice; **HOLLAND** and **VALIHURA**, Justices.

ORDER

This 9th day of February 2017, having considered the appellant’s response to the notice to show cause and motions seeking access to certain Superior Court case files and for a retrial in the Court of Chancery case on appeal, it appears to the Court that:

(1) The appellant, Weih Steve Chang, filed this appeal from the Court of Chancery’s August 16, 2016 dismissal of his complaint. The Court has twice denied Chang’s motions seeking to stay the appeal and has twice granted Chang extensions of time to file the opening brief and appendix.

(2) On November 7, 2016, the Court ordered that Chang file the opening brief and appendix by November 14, 2016. The Court also ordered that no further brief extensions would be granted to Chang.

(3) In the second of his motions to stay, Chang sought a stay of the briefing while he pursues a civil action that he filed in the United States District Court for the District of Delaware against members of the Court and the State of Delaware. The motion to stay was denied on November 28, 2016.

(4) On December 6, 2016, the Clerk issued a notice directing Chang to show cause why his appeal should not be dismissed for his failure to file the opening brief and appendix. In his response to the notice to show cause, Chang again asks the Court to stay the briefing because of his U.S. District Court case.

(5) On January 31, 2017, Chang filed two motions. One motion seeks access to certain Superior Court case files. The other motion seeks a retrial of the underlying Chancery case on appeal on the basis that the Vice Chancellor should have entered his recusal in the case.

(6) Chang's motions appear to seek relief that either was denied in an opinion issued on June 29, 2016 in the case on appeal or that was not presented in

that case in the first instance.* Either way, the motions are nonconforming documents and will be stricken.

(7) Chang has failed to show cause why his appeal should not be dismissed for his failure to file the opening brief and appendix. His response to the notice to show cause seeks relief previously denied by the Court on November 28, 2016.

NOW, THEREFORE, IT IS ORDERED, that the motions for access to case files and for retrial are STRICKEN under Supreme Court Rule 34. The appeal is DISMISSED under Supreme Court Rule 29(b).

BY THE COURT:


Justice

* See *Chang v. Children's Advocacy Center of Delaware, Inc.*, 2016 WL 3636539 (Del. Ch. June 29, 2016) (denying motions to reopen, to recuse, and to stay).