

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |   |                                 |
|--------------------|---|---------------------------------|
| JERON D. BROWN,    | § |                                 |
|                    | § | No. 416, 2008                   |
| Petitioner Below,  | § |                                 |
| Appellant,         | § | Court Below--Superior Court     |
|                    | § | of the State of Delaware in and |
| v.                 | § | for Kent County                 |
|                    | § |                                 |
| STATE OF DELAWARE, | § |                                 |
|                    | § |                                 |
| Respondent Below,  | § | C.A. No. 08M-08-001             |
| Appellee.          | § |                                 |

Submitted: November 3, 2008  
Decided: December 11, 2008

**ORDER**

This 11<sup>th</sup> day of December 2008, the Court has considered the notice to show cause issued to the appellant, Jeron D. Brown, on October 20, 2008, for his failure to file the opening brief and appendix that were due to be filed on or before October 6, 2008. Brown has not responded to the notice to show cause and has not filed the opening brief and appendix. Brown's failure to respond to the notice to show cause is deemed to be his consent to the dismissal of this appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland  
Justice