

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAUL LACOMBE,	§
	§ No. 4, 2021
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID No. 1112018546 (N)
Plaintiff Below,	§
Appellee.	§

Submitted: January 26, 2021
Decided: February 22, 2021

ORDER

On January 4, 2021, the appellant, Paul Lacombe, filed a notice of appeal from the Superior Court’s November 25, 2020 order denying his third motion for postconviction relief. Under Supreme Court Rule 6(a)(iv), a timely notice of appeal should have been filed on or before December 28, 2020.¹ On January 6, 2021, the Senior Court Clerk issued, by certified mail, a notice directing Lacombe to show cause why his appeal should not be dismissed as untimely filed. Lacombe received the notice to show cause as evidenced by the undated return receipt that was filed with the Court on January 13, 2021. A timely response was due on or before January

¹ Because the thirtieth day fell on a legal holiday—December 25, 2020—the notice of appeal was due on or before the next business day, or December 28, 2020. Del. Supr. Ct. R. 11(a).

25, 2021.² To date, Lacombe has not responded to the notice to show cause. Therefore, dismissal of the appeal is deemed unopposed.

NOW, THEREFORE, IT IS HEREBY 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 See Del. Supr. Ct. R. 11(a).