

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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| ELBERT L. JOHNSON, | § No. 481, 2000 |
| | § |
| Respondent Below, | § Court Below: Family Court |
| Appellant, | § of the State of Delaware, |
| | § in and for New Castle County |
| v. | § File No. CN98-07886 |
| | § Petition No. 00-04296 |
| TRACY L. JOHNSON, | § |
| | § |
| Petitioner Below, | § |
| Appellee. | § |

ORDER

This day of November 2000, it appears to the Court that the Clerk issued a notice dated October 18, 2000 directing the appellant, Elbert L. Johnson, to show cause why this appeal should not be dismissed, pursuant to Supreme Court Rule 29(b), for his failure to prosecute the appeal diligently by not paying the Supreme Court filing fee. Johnson failed to respond to the notice to show cause within the required ten-day period. Dismissal of this action, therefore, is deemed to be unopposed.

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

BY THE COURT:

Chief Justice