

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHARLES HARDING,	§ No. 329, 2000
	§
Defendant Below,	§
Appellant,	§ Court Below: Superior Court
	§ of the State of Delaware
v.	§ in and for Kent County
	§
STATE OF DELAWARE,	§ C.A. No. 00M-06-001
	§ ID No. 9601016813
Plaintiff Below,	§
Appellee.	§

**ORDER**

This 20<sup>th</sup> day of October 2000, the Clerk issued a notice dated October 3, 2000, directing the appellant 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 filing his opening brief and appendix. The appellant 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:

/s/ Myron T. Steele T. Steele  
Justice