

IN THE SUPREME COURT OF THE STATE OF DELAWARE

VONZELL BRISCOE,	§ No. 494, 1999
	§
Defendant Below,	§ Court Below: Superior Court
Appellant,	§ of the State of Delaware, in and
	§ for Kent County, in Cr.A. No.
v.	§ K96-09-0194R1 and Cr. ID
	§ No. 9609001404
STATE OF DELAWARE,	§
	§
Plaintiff Below,	§
Appellee.	§

ORDER

This 14th day of February 2000, it appears to the Court that:

1. On January 24, 2000, the Clerk issued a notice directing the appellant to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute this appeal by not filing his opening brief and appendix.

2. Because the appellant has failed to respond to the notice to show cause within the required ten-day period, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to

Supreme Court Rules 3(b) and 29(b) that the within appeal is DISMISSED.

BY THE COURT:

s/Joseph T. Walsh

Justice