

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMAH K. GROSVENOR,

Defendant Below,  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,  
Appellee.

No. 348, 2005

Court Below: Superior Court  
of the State of Delaware in and  
for New Castle County

Cr. ID No. 0204003496

Submitted: October 20, 2005

Decided: October 31, 2005

**ORDER**

This 31<sup>st</sup> day of October 2005, it appears to the Court that on September 29, 2005, the Clerk issued a notice 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 his appeal by not filing his opening brief and appendix in this matter. The appellant responded to the notice to show cause and requested that his appeal not be dismissed pending action in the Superior Court. By letter dated October 5, 2005, the Clerk directed appellant to file, by October 17, 2005, an appropriate motion for stay or motion under Rule 15(b). The appellant has not filed such motion. Therefore, 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/ Myron T. Steele

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Chief Justice