

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,	§
	§ No. 143, 2006
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Justice of the
	§ Peace Court No. 11
NEW CASTLE COUNTY	§ of the State of Delaware,
DEPARTMENT OF LAND USE	§ in and for New Castle County
AND CHRISTOPHER COONS,	§
	§
Plaintiffs Below,	§
Appellees.	§

ORDER

This 25th day of May 2006, it appears to the Court that, on March 21, 2006, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for this Court's lack of jurisdiction to hear an appeal from the Justice of the Peace Court. The appellant has failed to respond to the notice to show cause within the required ten-day period; 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/ Randy J. Holland
Justice