

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,

§

§ No. 395, 2006

Appellant,

§

§

v.

§

§

NEW CASTLE COUNTY,

§

§

Appellee.

§

**ORDER**

This 2nd day of October 2006, it appears to the Court that:

(1) On July 24, 2006, the appellant filed a pro se notice of appeal from a violation notice issued by the Department of Land Use, Office of Code Enforcement, New Castle County, Delaware. On July 27, 2006, a notice to show cause was issued by the Clerk directing the appellant to show cause why this matter should not be dismissed pursuant to Supreme Court Rule 29(b) for this Court's lack of jurisdiction to consider the appeal.<sup>1</sup>

(2) On August 18 and August 21, 2006, the notices were returned to the Clerk marked "unclaimed." Both notices were re-sent via first class mail. To date, no response has been received to the notice to show cause.

---

<sup>1</sup> Del. Const. art. IV, § 11(1) (a). Two notices were sent, one to each of the appellant's known addresses.

Because the appellant has failed to respond to the notice to show cause, dismissal of this matter is deemed to be unopposed.<sup>2</sup>

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) (2) and 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland  
Justice

---

<sup>2</sup> Supr. Ct. R. 3(b) (2) and 29(b).