

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOYCE LYNN ROGERS,

Plaintiff Below,
Appellant,

v.

LEAR CORPORATION AND
INDUSTRIAL ACCIDENT
BOARD,

Defendants Below,
Appellees.

No. 310, 2002

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

C.A. No. 01A-07-006

ORDER

This 3rd day of February 2003, it appears to the Court that on November 19, 2002, 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 her appeal by not filing her opening brief and appendix in this matter. The appellant responded by letter dated December 10, 2002, and requested an extension of time to file her brief. By letter dated January 2, 2003, the appellant was granted an extension of time until January 17, 2003. In the January 2 letter, the appellant was advised that if her opening brief was not filed by January 17, the Court would deem the dismissal of this appeal as unopposed. The appellant has failed to file her opening brief; 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/ Joseph T. Walsh
Justice