

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DANA L. JOHNSON,

Respondent Below,  
Appellant,

v.

GARY A. JOHNSON,

Petitioner Below,  
Appellee.

§

§ No. 339, 2009

§

§

§ Court Below—Family Court

§ of the State of Delaware,

§ in and for Sussex County

§ File No. CS04-02731

§

§

§

Submitted: July 6, 2009

Decided: August 10, 2009

**ORDER**

This 10<sup>th</sup> day of August 2009, it appears that, on June 24, 2009, the Court issued a notice to appellant to show cause why this appeal should not be dismissed for her failure to comply with Supreme Court Rule 42 when appealing an interlocutory order. The appellant 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/ Myron T. Steele

Chief Justice