

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NORMAN DUTTON,	§
	§ No. 433, 2009
Defendant Below,	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID 0604002655
	§
Plaintiff Below,	§
Appellee.	§

Submitted: August 17, 2009

Decided: August 26, 2009

ORDER

This 26th day of August 2009, it appears to the Court that, on July 31, 2009, the Clerk issued a notice to appellant to show cause why the appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to file his notice of appeal in a timely manner. 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