

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANDREA EVANS, ¹	§
	§ No. 355, 2009
Respondent Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware
	§ in and for New Castle County
CHARLES FIELDS,	§ File No. CN03-08146
	§ Petition No. 08-02742
Petitioner Below-	§
Appellee.	§

Submitted: September 21, 2009

Decided: September 24, 2009

ORDER

This 24th day of September 2009, it appears to the Court that, on September 1, 2009, 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 the appeal by not paying the Family Court filing fee and transcript costs. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

¹ The Court *sua sponte* assigned pseudonyms to the parties by Order dated June 18, 2009. Supr. Ct. R. 7(d).

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

BY THE COURT:

/s/ Carolyn Berger
Justice