

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL STATEN,	§
	§ No. 164, 2010
Defendant Below,	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID 0508018142
	§
Plaintiff Below,	§
Appellee.	§

Submitted: June 7, 2010

Decided: June 11, 2010

ORDER

This 11th day of June 2010, it appears to the Court that, on May 24, 2010, the Clerk issued a notice to appellant to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for his failure to diligently prosecute his appeal by not filing his opening brief and appendix in this matter. 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