

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALLAN G. KANE, ¹	§
	§ No. 647, 2010
Petitioner Below,	§
Appellant,	§
v.	§ Court Below—Family Court
	§ of the State of Delaware,
	§ in and for New Castle County
SUSAN CLARK,	§ C.A. No. CN98-09498
	§
Respondent Below,	§
Appellee.	§

Submitted: February 14, 2011

Decided: February 18, 2011

ORDER

This 18th day of February 2011, it appears to the Court that, on January 25, 2011, the Chief Deputy Clerk issue a notice to appellant to show cause why the appeal should not be dismissed for appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. 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/ Henry duPont Ridgely
Justice

¹ The Court assigned pseudonyms to the parties pursuant to Supreme Court Rule 7(d).