

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DANIEL S. GREEN,	§	
	§	No. 208, 2001
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court of the
	§	State of Delaware in and for New
v.	§	Castle County
	§	
STATE OF DELAWARE,	§	C.A. No. 01M-03-008
	§	
Plaintiff Below,	§	
Appellee.	§	

**ORDER**

This 28<sup>TH</sup> day of August 2001, it appears to the Court that the Clerk issued a notice dated July 10, 2001, directing the appellant to show cause why this appeal should not be dismissed, pursuant to Supreme Court Rule 29(b), for his failure to prosecute the appeal diligently by not filing his opening brief and appendix. The appellant failed to respond to the notice to show cause within the required ten-day period. Dismissal of this action, therefore, is deemed to be unopposed.

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/ Myron T. Steele  
Justice