

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CARMELO RODRIGUEZ,	§
	§
Petitioner Below,	§ No. 136, 2001
Appellant,	§
	§ Court Below: Family Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
MICHELLE S. PINERO,	§
	§ File No. CN94-10226
Respondent Below,	§ Petition No. 00-33497
Appellee.	§

ORDER

This 26th day of July 2001, it appears to the Court that:

1. On June 8, 2001, 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 failing to pay to Family Court the required record transmittal fee.
2. The notice to show cause was sent by Certified Mail, Return Receipt Requested, to the appellant at the address he provided to this Court. On July 9, 2001, the notice to show cause was returned to the Clerk's office by the post office marked "Return to Sender (Other)." On that date, the notice was re-sent to the appellant by regular mail. To date, there has been no response.

3. 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/ Carolyn Berger
Justice