

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |                              |
|--------------------|------------------------------|
| DEVIN COLEMAN,     | §                            |
|                    | § No. 301, 2015              |
| Defendant Below,   | §                            |
| Appellant,         | §                            |
|                    | §                            |
| v.                 | § Court Below—Superior Court |
|                    | § of the State of Delaware,  |
| STATE OF DELAWARE, | § in and for Kent County     |
|                    | § Cr. ID Nos. 1303004663 and |
| Plaintiff Below,   | § 1303012706                 |
| Appellee.          | §                            |

Submitted: June 29, 2015

Decided: July 17, 2015

**ORDER**

This 17<sup>th</sup> day of July 2015, it appears to the Court that, on June 15, 2015, the appellant filed an appeal from a Superior Court Commissioner’s order denying his motion for recusal. The Clerk issued a notice to show cause why this appeal should not be dismissed for this Court’s lack of jurisdiction to hear an interlocutory criminal appeal. The appellant failed to respond within the required ten-day period;<sup>1</sup> therefore, dismissal of this action is deemed to be unopposed.

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

BY THE COURT:

*/s/ Collins J. Seitz, Jr.*

Justice

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<sup>1</sup> We acknowledge Coleman’s untimely response filed on July 6. Even if the Court were to consider his untimely filing, it would not change the outcome.