

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL J. RUSSO,

Defendant Below-
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-
Appellee.

§

§ No. 533, 2015

§

§

§

§ Court Below—Superior Court

§ of the State of Delaware

§ Cr. ID 1301002605

§

§

§

Submitted: December 23, 2015

Decided: December 30, 2015

ORDER

This 30th day of December 2015, it appears to the Court that, on December 3, 2015, the Chief Deputy Clerk issued a notice to the appellant to show cause why his appeal should not be dismissed for his failure to file 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, under Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.

Justice