

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SUSAN MACKINNON, ¹	§	
	§	No. 226, 2017
Petitioner Below,	§	
Appellant,	§	Court Below—Family Court of the
	§	State of Delaware in and for New
v.	§	County
	§	
MATTHEW CARSON,	§	File No. CN15-06469
	§	CPI Nos. 15-37336
Respondent Below,	§	16-00093
Appellee.	§	

Submitted: December 5, 2017
Decided: December 13, 2017

ORDER

This 13th day of December 2017, it appears to the Court that:

(1) On October 23, 2017, the Clerk issued a brief delinquency notice advising the appellant, Susan MacKinnon, that the opening brief and appendix were overdue and must be filed without further delay. MacKinnon did not respond to the brief delinquency notice and did not file the opening brief and appendix.

(2) On October 31, 2017, the Clerk issued a notice, by certified mail, directing MacKinnon to show cause why her appeal should not be dismissed for failure to file the opening brief and appendix. The Clerk sent a duplicate notice to MacKinnon by first class mail on November 21, 2017.

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

(3) On November 27, 2017, the certified notice to show cause sent to MacKinnon was returned to the Clerk. The envelope was marked “unclaimed.” MacKinnon has not responded to the notice to show cause sent to her by first class mail on November 21, 2017. Under these circumstances, dismissal of MacKinnon’s appeal is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.²

BY THE COURT:

/s/ Karen L. Valihura
Justice

² The motion to withdraw filed by the appellee’s counsel on October 20, 2017, is moot.