

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANDRE OWENS,	§
	§ No. 80, 2018
Defendant Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID No. 1603002511 (K)
STATE OF DELAWARE,	§
	§
Plaintiff Below,	§
Appellee.	§

Submitted: March 22, 2018

Decided: April 10, 2018

Before **STRINE**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

ORDER

This 10th day of April 2018, upon consideration of the notice to show cause and the appellant's response to the notice to show cause, it appears to the Court that:

(1) On February 16, 2018, the appellant, Andre Owens, filed a notice of appeal from a February 5, 2018 Superior Court order sentencing him for a violation of probation. On February 19, 2018, the Senior Court Clerk advised Owens to pay the Supreme Court filing fee or file a motion to proceed *in forma pauperis* no later than March 6, 2018. Owens was warned that a notice to show cause would issue if the filing fee was not paid or a motion to proceed *in forma pauperis* was not filed by March 6, 2018.

(2) Owens did not pay the filing fee or file a motion to proceed *in forma pauperis* by March 6, 2018. On March 7, 2018, the Chief Deputy Clerk issued a notice directing Owens to show cause why the appeal should not be dismissed for his failure to pay the filing fee or file a motion to proceed *in forma pauperis*.

(3) In his response to the notice to show cause, Owens describes the delays in his filing of a motion to proceed *in forma pauperis* and states that he still would like to proceed with filing a motion to proceed *in forma pauperis*. Owens did not include a motion to proceed *in forma pauperis* with his notice to show cause and still has not filed one. In light of Owens' failure to pay the filing fee or file a motion to proceed *in forma pauperis*, this appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Karen L. Valihura
Justice