

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRIAN WALKER,	§
	§ No. 487, 2018
Defendant Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID No. 0802005060 (S)
STATE OF DELAWARE,	§
	§
Plaintiff Below,	§
Appellee.	§

Submitted: December 20, 2018

Decided: January 9, 2019

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

ORDER

After 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 September 20, 2018, the appellant, Brian Walker, filed a notice of appeal from a September 14, 2018 Superior Court order sentencing him for a violation of probation. The Senior Court Clerk advised Walker to pay the Supreme Court filing fee or file a motion to proceed *in forma pauperis* by October 5, 2018. Walker 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 October 5, 2018.

(2) Walker did not pay the filing fee or file a motion to proceed *in forma pauperis*. On October 23, 2018, the Chief Deputy Clerk issued a notice directing

Walker 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, Walker stated that he had not been able to go to the library or obtain notarization of his paperwork, but would be able to do so if he was granted an extension. On December 4, 2018, the Senior Court Clerk informed Walker that the notice to show cause would be held in abeyance pending his filing of a motion to proceed *in forma pauperis* by December 19, 2018. Walker was warned that his appeal would be dismissed if he failed to file a motion to proceed *in forma pauperis* by December 19, 2018. Walker has failed to pay the filing fee or file a motion to proceed *in forma pauperis*. In light of Walker's 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