

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TIMOTHY HOUSER,	§	
	§	
Defendant Below,	§	No. 163, 2021
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware
	§	
STATE OF DELAWARE,	§	Cr. ID No. S1611019437
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: August 16, 2021

Decided: August 31, 2021

ORDER

On May 24, 2021, the Court received a letter from the appellant indicating that he desired to appeal a decision of the Superior Court. On May 25, 2021, the Chief Deputy Clerk sent the appellant letters directing him to complete and sign an official Form A notice of appeal by June 9, 2021 and to pay the filing fee or to file a motion and affidavit to proceed *in forma pauperis* by the same date. The appellant did not respond to those letters. On June 17, 2021, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why his appeal should not be dismissed for failure to file a motion to proceed *in forma pauperis* and an official Form A notice of appeal. On July 12, 2021, the postal service returned the June 17 notice with the designations “attempted-not known” and “unable to forward.” On July 12, 2021, the Senior Court Clerk obtained an updated address for

the appellant and sent a notice to show cause to the new address by certified mail. On August 6, 2021, the Chief Deputy Clerk resent the notice to the new address by first-class mail. On August 16, 2021, the postal service returned the July 12 notice with the designations “unclaimed” and “unable to forward.” The appellant having failed to respond to the notice to show cause within the required ten-day period or to report any change of address to the Court, dismissal of this action 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.

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice