

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JERMAINE CARTER,

Defendant Below,  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,  
Appellee.

§

§ No. 183, 2021

§

§ Court Below—Superior Court  
§ of the State of Delaware

§

§ Cr. ID No. 0810013184 (N)

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Submitted: July 19, 2021

Decided: July 23, 2021

**ORDER**

It appears to the Court that, on June 28, 2021, the Chief Deputy Clerk issued a notice, by certified mail, directing the appellant, Jermaine Carter, to show cause why his appeal should not be dismissed for his failure to pay the Supreme Court filing fee or to file a motion to proceed *in forma pauperis* with the certifications required by 10 *Del. C.* § 8803(e).<sup>1</sup> Postal records show that Carter received the notice to show cause by July 6, 2021. A timely response to the notice to show cause was due on or before July 16, 2021. To date, Carter has not paid the Supreme Court filing fee, filed a motion

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<sup>1</sup> On April 2, 2020, this Court held that Carter's untimely, repetitive, and frivolous filings constituted an abuse of the judicial process. *Carter v. State*, 2020 WL 1652560, at \*1 (Del. Apr. 2, 2020). The Court directed the Clerk to refuse any future filings from Carter related to his criminal convictions and sentences unless the filing was accompanied by the required filing fee or a completed motion to proceed *in forma pauperis* with a sworn affidavit containing the certifications required by 10 *Del. C.* § 8803(e) and that motion was granted by the Court.

to proceed *in forma pauperis*, or responded to the notice to show cause. Dismissal of this action is therefore deemed to be unopposed.

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

BY THE COURT:

/s/ Karen L. Valihura  
Justice