

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,

Defendant Below,  
Appellant,

v.

THE CITY OF WILMINGTON, a  
municipal corporation of the State of  
Delaware,

Plaintiff Below, Appellee.

§

§ No. 359, 2021

§

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

§

§ C.A. No. N18J-02078

§

§

§

§

§

§

Submitted: December 15, 2021

Decided: December 15, 2021

**ORDER**

The appellant, Peter Kostyshyn, filed a notice of appeal from a November 8, 2021, decision of the Superior Court denying a motion for a stay of a sheriff sale. On November 12, 2021, the Clerk of this Court issued a notice directing Kostyshyn to show cause why the appeal should not be dismissed for his failure to comply with Supreme Court Rule 42 in taking an appeal from an interlocutory order. Postal records indicate that the notice to show cause was delivered on December 4, 2021. A timely response to the notice to show cause was due by December 14, 2021. The appellant having failed to respond to the notice to show cause within the required ten-day period, 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 this appeal is hereby DISMISSED.

BY THE COURT:

/s/ Karen L. Valihura  
Justice