

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RUSSELL P. CARTER,	§
	§
Defendant Below,	§ No. 433, 2020
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 1511003808 (S)
	§
Plaintiff Below,	§
Appellee.	§

Submitted: January 18, 2021

Decided: February 1, 2021

**ORDER**

On December 21, 2020, the appellant, Russell P. Carter filed a notice of appeal from a Superior Court order, docketed on November 17, 2020, denying his motion for relief under Superior Court Civil Rule 60(b)(6). Under Supreme Court Rule 6(a)(iv), a timely notice of appeal should have been filed on or before December 17, 2020. On December 29, 2020, the Senior Court Clerk issued a notice directing Carter to show cause why the appeal should not be dismissed as untimely. On January 5, 2021, the Court received the certified mail receipt indicating that the notice to show cause had been delivered. A timely response was due on or before January 15, 2021. To date, Carter has not responded to the notice to show cause. Dismissal of this appeal is therefore deemed to be unopposed.

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.  
Chief Justice