

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALEJANDRO RODRIGUEZ-
ORTIZ,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Appellee.

§

§ No. 179, 2023

§

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

§

§ Cr. ID Nos. 0810017618 (N)

§

0905024913 (N)

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§

Submitted: October 10, 2023

Decided: October 16, 2023

ORDER

It appears to the Court that, on August 15, 2023, the Chief Deputy Clerk sent a notice of brief delinquency to the appellant because he had not filed an opening brief by the August 11, 2023 deadline set by the Court. On September 26, 2023, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why this appeal should not be dismissed for his failure to file an opening brief. The appellant received the notice on September 28, 2023. A timely response to the notice to show cause was due on or before October 9, 2023. To date, the appellant has neither responded to the notice to show cause nor filed an opening brief. Dismissal of this appeal is therefore deemed to be unopposed.

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

BY THE COURT:

/s/ Karen L. Valihura
Justice