

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANTHONY CLARK,	§
	§
Defendant Below,	§ No. 260, 2023
Appellant,	§
	§ Court Below: Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 1709012825 (K)
	§
Appellee.	§
	§

Submitted: December 4, 2023  
Decided: December 12, 2023

**ORDER**

(1) On July 24, 2023, the appellant, Anthony Clark, filed a notice of appeal from a Superior Court order sentencing him for a violation of probation. The Court issued a briefing schedule on August 30, 2023; Clark’s opening brief was due September 29, 2023. The appellant later requested a thirty-day extension, which the Court granted. On November 1, 2023, Court staff sent a notice of brief delinquency to Clark because he had not filed his opening brief by the deadline. The notice was returned to the Court because Clark had been released from prison. Court staff obtained a new mailing address for Clark from the Department of Correction and reissued the notice of brief delinquency; the postal service returned that notice as undeliverable.

(2) On November 16, 2023, after confirming that the Department of Correction did not have an alternative address for Clark, Court staff issued a notice, sent by certified mail, directing Clark to show cause why this appeal should not be dismissed for his failure to file an opening brief. On November 21, 2023, the postal service returned the notice to show cause as undeliverable. Court staff resent the notice by first-class mail; the notice was again returned.

(3) The appellant having failed to respond to the notice to show cause, to file the opening brief, or to report any address change to the Court, dismissal of this action is deemed unopposed.

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

BY THE COURT:

/s/ Abigail M. LeGrow  
Justice