

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRANDON LOGUE,	§
	§
Defendant Below,	§ No. 367, 2023
Appellant,	§
	§ Court Below: Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 2201000054 (N)
	§
Appellee.	§

Submitted: November 21, 2023

Decided: November 28, 2023

**ORDER**

(1) On October 2, 2023, the appellant filed a document indicating that he wanted to appeal from a Superior Court violation of probation sentence order dated September 7, 2023. The Senior Court Clerk sent the appellant letters directing him to complete and sign an official Form A notice of appeal by October 18, 2023, and to pay the filing fee or to file a motion and affidavit to proceed *in forma pauperis* by the same date. On October 19, 2023, the Chief Deputy Clerk sent another letter directing the appellant to either file a motion and affidavit to proceed *in forma pauperis* or pay the filing fee by November 2, 2023, or a notice to show cause would issue.

(2) On November 6, 2023, the Chief Deputy Clerk issued a notice, by certified mail, directing the appellant to show cause why the Court should not

dismiss the appeal for the appellant's failure to diligently prosecute the appeal by either paying the Supreme Court filing fee or filing a motion to proceed *in forma pauperis*. The notice to show cause directed the appellant to respond within ten days and advised that if the appellant did not respond, dismissal of the appeal would be deemed to be unopposed. On November 13, 2023, the Court received the certified-mail receipt indicating that the notice had been delivered on November 8, 2023.

(3) 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) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Gary F. Traynor  
Justice