

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,	§
	§ No. 260, 2012
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware, in and
NEW CASTLE COUNTY,	§ for New Castle County
	§ C.A. No. 200809916
Plaintiff Below,	§
Appellee.	§
	§

Submitted: September 5, 2012

Decided: September 7, 2012

ORDER

This 7th day of September 2012, it appears to the Court that, on August 22, 2012, the Clerk's office issued a notice to appellant to show cause why this appeal should not be dismissed for his failure to diligently prosecute his appeal by not filing an amended notice of appeal as directed by the Court. The appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice