

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHNAS ORTIZ,	§
	§ No. 611, 2002
Defendant Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§ Cr. ID No. 0206012642
STATE OF DELAWARE,	§
	§
Plaintiff Below,	§
Appellee.	§

**ORDER**

This 13th day of June 2003, it appears to the Court that, on May 5, 2003, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. 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/ Randy J. Holland  
Justice