

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL DISHMON, Individually	§
and as the Executor of the Estate of	§ No. 309, 2013
JAMES DISHMON,	§
	§
Plaintiff Below-	§ Court Below—Superior Court
Appellant,	§ of the State of Delaware
	§ in and for New Castle County
v.	§ C.A. No. 06C-12-231
	§
PASQUALE FUCCI, M.D. and	§
BERNIE SCHNEIDER, PA,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: November 25, 2013

Decided: November 26, 2013

ORDER

This 26th day of November 2013, it appears to the Court that, on October 29, 2013, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute his appeal by not filing his opening brief and appendix. 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 ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice