

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN T. FOLKS,	§	No. 128, 2001
	§	
Defendant Below,	§	Court Below: Superior Court
Appellant,	§	of the State of Delaware, in
	§	and for New Castle County
v.	§	
	§	Cr. A. No. VN98-11-0855-01 –
STATE OF DELAWARE,	§	Cr. ID No. 0811003434
	§	
Plaintiff Below,	§	
Appellee.	§	

**ORDER**

This 19<sup>th</sup> day of September 2001, it appears to the Court that on July 31, 2001, the Clerk issued a notice to show cause why this appeal should not be dismissed, pursuant to Supreme Court Rule 29(b), for Folks' failure to diligently prosecute the appeal by not filing his opening brief and appendix. Folks 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/Joseph T. Walsh  
Justice

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\* Supr. Ct. R. 3(b)(2); Supr. Ct. R. 30(c).