

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANNE FRANCES MCSHANE,	§	No. 294, 2001
	§	
Respondent Below,	§	Court Below: Family Court
Appellant,	§	of the State of Delaware, in
	§	and for Sussex County
v.	§	
	§	File No. CS97-04939
STEPHEN ALLEN TRUITT,	§	
	§	
Petitioner Below,	§	
Appellee.	§	

ORDER

This 19th day of September 2001, it appears to the Court that:

(1) On August 9, 2001, the Assistant Clerk issued a notice to show cause why this appeal should not be dismissed, pursuant to Supreme Court Rule 29(b), for the failure of Anne Frances McShane to diligently prosecute the appeal by failing to make arrangements by August 3, 2001, for payment of the transmittal fee and transcript cost to Family Court.

(2) On August 24, 2001, the notice to show cause was returned by the post office to the Clerk's office marked "Unclaimed." On that date, the notice was remailed to Ms. McShane via first class mail. To date, there has been no response.

(3) Because no response to the notice to show cause was filed within the required ten-day period, dismissal of this action is deemed to be unopposed. Supr. Ct. R. 3(b)(2); Supr. Ct. R. 30(c).

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