

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DEXTER L. MORRIS,	§
	§
Defendant Below-	§ No. 199, 2001
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ C.A. No. 01M-02-089
Plaintiff Below-	§
Appellee.	§

Submitted: October 2, 2001
Decided: October 10, 2001

Before **WALSH, HOLLAND** and **STEELE**, Justices

ORDER

This 10th day of October 2001, it appears to the Court that:

(1) The defendant-appellant, Dexter L. Morris, filed an appeal in this Court on June 15, 2001. On August 16, 2001, the Clerk issued a notice to show cause why the appeal should not be dismissed on the ground of mootness.¹ On August 23, 2001, the notice to show cause was returned by the post office to the Clerk's office marked "Inmate Released." On that date, the notice was re-mailed to Morris via certified mail to an address obtained from the Department of

¹Supr. Ct. R. 29(b).

Correction. On September 19, 2001, the notice was returned by the post office to the Clerk's office marked "Unclaimed."

(2) Morris having failed to respond to the notice to show cause within the required 10-day period, dismissal of this action is deemed to be unopposed.²

NOW, THEREFORE , IT IS ORDERED that, pursuant to Supreme Court Rules 3(b) (2) and 29(b), the appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Justice

²Supr. Ct. R. 3(b) (2) and 29(b).