

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ADAM G. LECATES,	§
	§ No. 406, 2013
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID No. 0910009984
	§
Plaintiff Below-	§
Appellee.	§

Submitted: October 21, 2013

Decided: October 28, 2013

ORDER

This 28th day of October 2013, it appears to the Court that, on October 3, 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 and by not paying the Supreme Court filing fee or filing a Motion to Proceed *in Forma Pauperis*. 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