IN THE SUPREME COURT OF THE STATE OF DELAWARE

| ROBERT SAUNDERS, | § | No. 326, 2000 |
|-------------------------------|---|--------------------------------|
| | § | |
| Petitioner Below, | § | Court Below: Superior Court of |
| Appellant, | § | of the State of Delaware, |
| | § | in and for Sussex County, |
| v. | § | C.A. No. 99C-07-007. |
| | § | |
| COMMISSIONER STAN TAYLOR, | § | |
| WARDEN RICK KEARNEY, SCI, | § | |
| KENNETH KRESGER, KITCHEN | § | |
| SUPERVISOR, SCI, CARL ANSON, | § | |
| MAINTENANCE SUPERVISOR, | § | |
| LANCE NIENOW, CHIEF EXECUTIVE | § | |
| OFFICER, AND WEINBRENNER SHOE | § | |
| CO., INC., | § | |
| | § | |
| Respondents Below, | § | |
| Appellees. | § | |

ORDER

This 5th day of October 2000, it appears to the Court that:

1. On September 18, 2000, the Clerk issued a notice to the appellant, Robert Saunders, to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for Saunders' failure to pursue the appeal diligently. On August 30, 2000, the Senior Court Clerk directed Saunders either to make payment arrangements with the Court Reporter for preparation of the oral ruling appealed from or to apply for a transcript of the ruling at State expense by September 13, 2000. Saunders failed to take any action.

2. Saunders also failed to respond to the notice to show cause within the required ten day period. Dismissal of this action therefore 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: | |
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| s/Myron T. Steele | |
| Justice | |