

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE	§	
PETITION OF KENNETH T.	§	No. 433, 2011
DEPUTY FOR A WRIT OF	§	
MANDAMUS.	§	Cr. ID No. 9612008864

Submitted: November 15, 2011

Decided: November 21, 2011

**ORDER**

This 21<sup>st</sup> day of November 2011, it appears to the Court that by notice dated October 27, 2011, the Clerk directed that Kenneth T. Deputy show cause why this petition for a writ of mandamus should not be dismissed as moot in view of the Superior Court's October 11, 2011 denial of Deputy's motion for credit time. Deputy has not responded to the notice to show cause.<sup>1</sup> For that reason, dismissal of Deputy's mandamus petition is deemed to be unopposed.<sup>2</sup>

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice

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<sup>1</sup> Deputy has, however, filed an appeal from the Superior Court's October 11, 2011 order. *See* docket at 1, *Deputy v. State*, Del. Supr., No. 583, 2011 (Oct. 31, 2011) (filing of notice of appeal).

<sup>2</sup> Del. Supr. Ct. R. 3(b)(2), 29(b).