

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GINIUS SAUNDERS,	§
	§
Plaintiff Below-	§ No. 3, 2004
Appellant,	§
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware,
CONNIE S. JACKSON, OFFICER	§ in and for New Castle County
RANKIN and DAVID F.	§ C.A. No. 03C-12-068
MCALLISTER,	§
	§
Defendants Below-	§
Appellees.	§

ORDER

This 1st day of July 2004, it appears to the Court that, on May 25, 2004, 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 appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. 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 HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice