

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |                              |
|--------------------|------------------------------|
| KEVIN LEE STATES,  | §                            |
|                    | § No. 229, 2004              |
| Defendant Below,   | §                            |
| Appellant,         | §                            |
| v.                 | § Court Below—Superior Court |
|                    | § of the State of Delaware,  |
|                    | § in and for Kent County     |
| STATE OF DELAWARE, | § Cr. ID 0101010848          |
|                    | §                            |
| Plaintiff Below,   | §                            |
| Appellee.          | §                            |

**ORDER**

This 12<sup>th</sup> day of July 2004, it appears to the Court that, on May 27, 2004, 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 timely filed his notice of appeal in this matter. 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/ Myron T. Steele  
Justice