

IN THE SUPREME COURT OF THE STATE OF DELAWARE

FRANCES MCINTOSH,	§
	§
Plaintiff Below,	§ No. 123, 2004
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
LIBERTY MUTUAL	§ in and for New Castle County
INSURANCE COMPANY,	§ C.A. No. 01C-07-148
	§
Defendant Below,	§
Appellee.	§

ORDER

This 29th day of July 2004, it appears to the Court that, on June 15, 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 diligently prosecute her appeal by not filing her opening brief and appendix 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
Chief Justice