

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DOMINIQUE BROOKS,	§
	§ No. 564, 2012
Defendant Below-	§
Appellant,	§
	§
v.	§
	§
STATE OF DELAWARE,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: May 10, 2013  
Decided: June 3, 2013

**ORDER**

This 3<sup>rd</sup> day of June 2013, it appears to the Court that, on April 26, 2013, 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 the appeal by not filing the opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:  
/s/ Myron T. Steele  
Chief Justice