

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAMON W. ARCHY,	§
	§ No. 572, 2012
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 1007027161
Plaintiff Below-	§
Appellee.	§

Submitted: April 15, 2013

Decided: April 30, 2013

**ORDER**

This 30<sup>th</sup> day of April 2013, it appears to the Court that, on March 1, 2013, the Clerk sent to appellant by certified mail a rule to show cause why this appeal should not be dismissed for his failure to diligently prosecute the appeal by not filing his opening brief and appendix in this matter. On April 2, 2013, the Clerk resent the rule to show cause to appellant by first class mail. The appellant has failed to respond to the rule 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