

IN THE SUPREME COURT OF THE STATE OF DELAWARE

| | |
|-------------------------|------------------------------|
| RONALD E. PROCTOR, JR., | § |
| | § No. 429, 2005 |
| Respondent Below, | § |
| Appellant, | § |
| | § |
| v. | § |
| | § |
| HELEN FORAKER, STATE OF | § Court Below—Superior Court |
| DELAWARE, DEPARTMENT OF | § of the State of Delaware, |
| CORRECTIONS, ET AL., | § in and for Family County |
| | § File Nos. CK94-3895 |
| Petitioners Below, | § |
| Appellees. | § |

ORDER

This 13th day of October 2005, it appears to the Court that, on September 21, 2005, 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 comply with Rule 42 when taking an appeal from an apparent interlocutory order in this matter. The appellant 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