

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ABDULLAH G. HUBBARD,	§
	§ No. 121, 2005
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9905018910
Plaintiff Below,	§
Appellee.	§

ORDER

This 25th day of April 2006, it appears to the Court that, on March 24, 2006, the State filed a motion to dismiss this appeal due to the appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. The appellant has failed to respond to the motion to dismiss 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)(2)(a) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice