

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LINDA CANNON for BARUCH	§
CANNON, a minor,	§
	§ No. 591, 2001
Petitioner Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ File No. 0106020444
	§
Respondent Below-	§
Appellee.	§

ORDER

This 29th day of January 2002, it appears to the Court that:

- (1) On November 26, 2001, Linda Cannon for Baruch Cannon, a minor, appealed from the Family Court's November 21, 2001 order denying her motion for withdrawal of bail. It appears that the minor child was released on bail and that Cannon was responsible for monitoring the conditions of bail pending sentencing. The motion for withdrawal of bail was grounded in Cannon's allegation that she was unable to continue monitoring the conditions of bail due to her illness. In addition to denying Cannon's motion, the Family Court's order also set the sentencing hearing for the minor child for December 10, 2001.
- (2) On December 4, 2001, the Clerk's Office issued a notice pursuant to Supreme Court Rule 29(b) directing Cannon to show cause why the appeal

should not be dismissed for failure to comply with Supreme Court Rule 42 when taking an appeal from an apparent interlocutory order. On January 9, 2002, the notice to show cause was returned to the Clerk's Office by the post office marked "Unclaimed." The Clerk's Office mailed the notice via first class mail on that same date. There has been no response to the notice to show cause since that time.

(3) Cannon 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 pursuant to Supreme Court Rules 3(b) (2) and 30(c).¹

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

BY THE COURT:

/s/ Myron T. Steele
Justice

¹If the sentencing hearing did, in fact, take place on December 10, 2001, the appeal is also moot.