

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAPHAEL WILLIAMS,	§	
	§	No. 269, 2006
Claimant/Appellant Below,	§	
Appellant,	§	Court Below--Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
DIAMOND STATE MASONRY,	§	
	§	
Employer/ Appellee Below,	§	C.A. No. 05A-08-010
Appellee.	§	

ORDER

This 28th day of November 2006, the Court has considered the Clerk's Notice to Show Cause issued to the appellant, Raphael Williams, on August 31, 2006, and the Assistant Clerk's letter dated September 22, 2006 to Williams. Williams has not filed the opening brief and appendix that were due to be filed on or before October 20, 2006. Moreover, Williams has not responded to the Clerk's notice issued on August 31, 2006 or the Assistant Clerk's letter dated September 22, 2006. Williams' failure to respond to the Clerk's notice and the Assistant Clerk's letter are deemed to be his consent to the dismissal of this appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b) that the appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger
Justice