

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM P. and MARGARET	§
ANNE INGRAM,	§ No. 419, 2006
	§
Plaintiffs Below-	§
Appellants,	§
	§ Court Below—Court of Chancery
v.	§ of the State of Delaware,
	§ in and for Kent County
MESSINA MEL, INC.,	§ C.A. No. 1618-K
	§
Defendant Below-	§
Appellee.	§

**ORDER**

This 23rd day of March 2007, it appears to the Court that on December 5, 2006, the Chief Deputy Clerk issued a notice to the appellants to show cause why this appeal should not be dismissed for their failure to diligently prosecute the appeal by not filing an opening brief and appendix. On February 5, 2007, the notice was returned “unclaimed.” It was resent the same day via first class mail to the address appellants provided to the Court. The appellants have 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/ Randy J. Holland  
Justice