

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LINDA CANNON,	§
	§ No. 215, 2007
Plaintiff Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
PAUL E. PATTON and NEW	§ C.A. No. 02C-10-122
PRIME, INC.,	§
	§
Defendants Below-	§
Appellees.	§

**ORDER**

This 21<sup>st</sup> day of June 2007, it appears to the Court that:

(1) On April 27, 2007, the appellant, Linda Cannon, filed a notice of appeal from the Superior Court's March 29, 2007 order, which permitted the law firm of Ramunno, Ramunno & Scerba, P.A., to intervene in Cannon v. Patton et al., Super. Ct., C.A. 02C-10-122, a personal injury lawsuit filed by Cannon, in order to assert a claim for its fees and costs against Cannon and a claim to the proceeds of any settlement or recovery by Cannon.

(2) The Clerk of the Court issued a notice dated May 1, 2007, which directed Cannon to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for failure to comply with Rule 42 when taking an appeal from an apparent interlocutory order. The notice stated that, if Cannon did not respond to the notice to show cause

within 10 days of receipt, dismissal of the appeal would be deemed to be unopposed.

(3) The Supreme Court docket sheet reflects that, on May 29, 2007, the notice to show cause was returned unclaimed and was re-sent by first class mail to Cannon's last-known address. The docket also reflects that, on June 8, 2007, Cannon responded to the notice to show cause, conceding that she mistakenly believed her appeal was from a final order and requesting that she be permitted to proceed with an appeal once a final order has issued from the Superior Court.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED as unopposed. Cannon's filing fee in this appeal shall be applied to any future appeal by Cannon in this matter, following the issuance of a final order by the Superior Court.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice