

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |   |                                 |
|--------------------|---|---------------------------------|
| JEFFREY R. KINDLE, | § |                                 |
|                    | § | No. 175, 2007                   |
| Defendant Below,   | § |                                 |
| Appellant,         | § | Court Below--Superior Court     |
|                    | § | of the State of Delaware in and |
| v.                 | § | for Sussex County               |
|                    | § |                                 |
| STATE OF DELAWARE, | § |                                 |
|                    | § | Cr. ID Nos. 0004004115          |
| Plaintiff Below,   | § | 0103020294                      |
| Appellee.          | § |                                 |

Submitted: June 25, 2007  
Decided: July 11, 2007

**ORDER**

This 11<sup>th</sup> day of July 2007, the Court has considered the notice dated June 8, 2007 directing that the appellant show cause why this appeal should not be dismissed for his failure to file the opening brief. The appellant has not responded to the notice to show cause. The appellant's failure to respond is deemed to be his consent to dismissal of the appeal.

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

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice