

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ARTHUR J. COOPER, III,	§
	§ No. 287, 2007
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 0509007712
	§
Plaintiff Below-	§
Appellee.	§

ORDER

This 1st day of October 2007, the Clerk of the Court issued a notice dated August 14, 2007, directing the appellant to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for his failure to diligently prosecute the appeal by not filing his opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required ten-day period. Dismissal of this action is, therefore, deemed to be unopposed.

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

BY THE COURT:

/s/ Carolyn Berger
Justice