

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WOODY K. APPOLON,	§
	§ No. 69, 2012
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 1001003050
Plaintiff Below,	§
Appellee.	§

Submitted: May 18, 2012

Decided: May 21, 2012

**ORDER**

This 21<sup>st</sup> day of May 2012, it appears to the Court that, on April 19, 2012, the Chief Deputy Clerk issued a notice to appellant to show cause why this appeal should not be dismissed for his failure to diligently prosecute the appeal by not filing his opening brief and appendix in this matter. The appellant has 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/ Henry duPont Ridgely  
Justice