

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CECIL BROWNE,	§
	§
Plaintiff Below-	§ No. 202, 2000
Appellant,	§
	§
v.	§ Court Below— Superior Court
	§ of the State of Delaware,
THRIFTWAY'S MANAGER,	§ in and for New Castle County
JOHN DOE and THRIFTWAY'S	§ C.A. No. 99C-06-069
SECURITY, JOHN DOE,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: April 28, 2000

Decided: May 23, 2000

Before **VEASEY**, Chief Justice, **HOLLAND** and **HARTNETT**, Justices

ORDER

This 23rd day of May 2000, it appears to the Court that:

(1) On May 3, 2000, the Clerk issued a notice directing the appellant to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to comply with Supreme Court Rule 42 when taking an appeal from an apparent interlocutory order. The docket indicates certified receipt of the notice by the appellant on May 5, 2000. The appellant's response was, therefore, due on May 15, 2000. The appellant has not responded to the notice.

(2) The notice of interlocutory appeal filed by the appellant does not include copies of the following documents: the application for certification in the Superior Court and attachments thereto; the response to the application for certification; the order of the Superior Court certifying or refusing to certify the interlocutory appeal or the certificate of appellant that no action has been taken by the Superior Court.¹

(3) Since the requirements of Supreme Court Rule 42 have not been met by the appellant, the appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED that the within appeal be and hereby is DISMISSED pursuant to Supreme Court Rules 29(b) and 42.

BY THE COURT:

/s/Maurice A. Hartnett, III

Justice

¹Supr. Ct. R. 42(d) (iv) (A), (C), (D) and (E).

