

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LAVAR GIDDENS,	§	
	§	No. 58, 2000
Defendant Below,	§	
Appellant,	§	
	§	
v.	§	Court Below: Superior Court
	§	of the State of Delaware
STATE OF DELAWARE,	§	in and for Sussex County
	§	C.A. No. 00M-01-029
Plaintiff Below,	§	
Appellee.	§	

**ORDER**

This 24<sup>th</sup> day of May 2000, the Clerk having issued a notice dated April 25, 2000, 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; and appellant having failed to respond to the notice to show cause within the required ten-day period, dismissal of this action is deemed to be unopposed.

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

BY THE COURT:

/s/ Carolyn Berger  
Justice