

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEVIN J. HOWARD,	§
	§
Defendant Below,	§
Appellant,	§ No. 139, 1999
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§
Plaintiff Below,	§ ID No. 9506001506-R1
Appellee.	§

ORDER

This 29th day of August 2000, the Court having issued an Order dated July 24, 2000, denying appellant's motion to dismiss without prejudice and directing that, if appellant's opening brief were not filed by August 18, 2000, dismissal of this appeal would be deemed to be unopposed; and appellant having failed to file his opening brief on or before August 18, 2000, dismissal of this action for appellant's failure to prosecute 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/ Randy J. Holland
Justice