

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RICHARD SMITH,	§
	§
Claimant Below,	§
Appellant,	§ No. 78, 2000
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware in and
SERVICE TIRE TRUCK	§ for New Castle County
CENTER, INC.,	§ C.A. No. 98A-03-013
	§
Employer Below,	§
Appellee.	§

Submitted: March 6, 2000

Decided: March 8, 2000

ORDER

This 8th day of March 2000, the Court having considered appellee's motion to dismiss and appellant's response thereto conceding the merit of the motion to dismiss,

IT IS HEREBY ORDERED, pursuant to Supreme Court Rule 29(a) that this appeal be, and the same hereby is, DISMISSED as untimely.

BY THE COURT:

s/Joseph T. Walsh

Justice