

IN THE SUPREME COURT OF THE STATE OF DELAWARE

	§	No. 342, 2003
IN THE MATTER OF THE	§	
PETITION OF PHILLIP CARTER	§	Court Below: Superior Court
FOR A WRIT OF MANDAMUS.	§	of the State of Delaware, in and
	§	for Kent County in Cr.A. No.
	§	IK02-10-0493; Cr. ID No.
	§	0209013520

**ORDER**

This 27<sup>th</sup> day of October 2003, it appears to the Court that:

(1) On September 16, 2003, the Assistant Clerk issued a notice directing the petitioner to show cause why his petition for a writ of mandamus should not be dismissed as moot on the basis of the Superior Court's modified sentencing order of July 16, 2003. The notice to show cause was returned to the Clerk's Office marked "undeliverable as addressed." The notice was re-issued to the petitioner on October 1, 2003.

(2) The petitioner has failed to respond to the re-issued notice to show cause within the required ten-day period. As a result, dismissal of this matter is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger  
Justice