

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|--------------------|--------------------------------|
| YANCEY PARK,* | § |
| | § No. 527, 2009 |
| Petitioner Below, | § |
| Appellant, | § |
| | § |
| v. | § Court Below—Family Court |
| | § of the State of Delaware, |
| MADLINE K. HAROLD, | § in and for New Castle County |
| | § C.A. Nos. CN-08-02987 and |
| Respondent Below, | § 08-15269 |
| Appellee. | § |

Submitted: January 19, 2010

Decided: January 29, 2010

ORDER

This 29th day of January 2010, it appears to the Court that, on December 23, 2009, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for appellant's failure to diligently prosecute his appeal by not filing his opening brief and appendix in this matter. Appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY 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

* The Court assigned pseudonyms to the parties pursuant to Supreme Court Rule 7(d).