

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MARK PETERMAN,	§	
	§	
Respondent Below-	§	No. 529, 2004
Appellant,	§	
	§	
v.	§	Court Below---Family Court
	§	of the State of Delaware,
	§	in and for Sussex County
MARGARET McCREARY,	§	File No. CS03-07191
	§	Petition Nos. 03-23286; 28455
	§	
Petitioner Below-	§	
Appellee, and	§	
	§	
ANGELA M. WYATT,	§	
	§	
	§	
Respondent Below-	§	
Appellee.	§	

**ORDER**

This 14<sup>th</sup> day of February 2005, it appears to the Court that:

(1) On December 29, 2004, the Clerk of this Court issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute the appeal by failing to comply with the Clerk's December 10, 2004 directive to either pay the filing fee or file a motion to proceed in forma pauperis. The Supreme Court docket reflects that the appellant received the notice to show cause on December 31, 2004.

(2) The appellant has failed to respond to the notice to show cause within the required 10-day period. Dismissal of this action is, therefore, 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