

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |   |                             |
|--------------------|---|-----------------------------|
| GEORGE N. RUH,     | § | No. 439, 2000               |
|                    | § |                             |
| Defendant Below,   | § | Court Below: Superior Court |
| Appellant,         | § | of the State of Delaware,   |
|                    | § | in and for Sussex County    |
| v.                 | § |                             |
|                    | § | Cr. A. No. S99-07-0257      |
| STATE OF DELAWARE, | § | Cr. ID No. 9907000892       |
|                    | § |                             |
| Plaintiff Below,   | § |                             |
| Appellee.          | § |                             |

**ORDER**

This 9<sup>th</sup> day of January 2001, it appears to the Court that:

1. On December 12, 2000, the Clerk 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 pursue the appeal diligently by not filing his opening brief and appendix.
2. The 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:

Randy J. Holland  
Justice