

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHNNY L. SNOW,	§
	§ No. 266, 2003
Defendant Below,	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ C.A. No. 03M-04-068
	§
Plaintiff Below,	§
Appellee.	§

ORDER

This 18th day of February 2004, it appears to the Court that the Clerk issued a notice to appellant to show cause why his appeal should not be dismissed for his failure to file his opening brief and appendix. The notice was returned by the post office on January 20, 2004 as “Unclaimed.” The Clerk re-mailed the notice to show cause to appellant’s last known address via first class mail, and it was not returned. Appellant failed to respond to the notice to show cause within the required ten-day period. Dismissal of this action, therefore, 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/ Jack B. Jacobs
Justice