

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KENNETH JEWELL,	§	
	§	No. 18, 2016
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware
v.	§	
	§	Cr. ID No. 1109012161
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: June 8, 2016

Decided: June 10, 2016

ORDER

This 10th day of June 2016, it appears to the Court that:

(1) The appellant's opening brief was due to be filed on or before March 28, 2016. When the appellant did not file the brief by the March 28 deadline, the Clerk sent the appellant a brief delinquency notice dated May 12, 2016, advising the appellant that the brief must be filed within seven days. The appellant did not respond to the Clerk's brief delinquency notice and did not file the opening brief.

(2) On May 23, 2016, the Clerk issued a notice, by certified mail, directing the appellant to show cause why the appeal should not be dismissed for failure to file the opening brief. The notice to show cause directed the appellant to respond within ten days and advised him that, if he did not respond, dismissal of the appeal would be deemed to be unopposed.

(3) On June 1, 2016, the Court received the certified mail receipt, indicating that the appellant received the notice to show cause on May 28, 2016. The appellant's response to the notice to show cause was due to be filed on or before June 7, 2016.

(4) The appellant did not respond to the notice to show cause and did not file the opening brief. Under these circumstances, dismissal of the appeal is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice