

IN THE SUPREME COURT OF THE STATE OF DELAWARE

INFECTIOUS DISEASE	§
ASSOCIATES, P.A.,	§
	§ No. 62, 2016
Defendant Below,	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§
JOHN DOE,	§ C.A. N13C-12-218
	§
Plaintiff Below,	§
Appellee.	§

Submitted: March 30, 2016

Decided: March 31, 2016

ORDER

This 31st day of March 2016, it appears to the Court that, on March 17, 2016, the Clerk issued a notice to the Appellee to show cause why his cross-appeal should not be dismissed for his failure to file his notice of cross-appeal in a timely manner. On March 30, 2016, the Appellee filed a motion for leave to file an out-of-time response to the notice to show cause. The Appellee's belated response fails comply with this Court's rules on filing motions for extensions of time beyond the due date and further concedes that he cannot show cause why the cross-appeal should not be dismissed as untimely. Dismissal of this cross-appeal, therefore, is deemed to be unopposed.

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

BY THE COURT:

/s/Karen L. Valihura
Justice