

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN and  
PATRICIA KOSTYSHYN,

Defendants Below,  
Appellants,

v.

CITY OF WILMINGTON,

Plaintiff Below,  
Appellee.

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§ No. 430, 2015

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§ Court Below—Superior Court

§ of the State of Delaware,

§ in and for New Castle County

§ C.A. No. 13J-01724

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Submitted: September 21, 2015

Decided: October 6, 2015

**ORDER**

This 6<sup>th</sup> day of October 2015, it appears to the Court that, on August 19, 2015, the Clerk issued an amended notice to the appellants directing both of them to show cause why this appeal should not be dismissed for their failure to comply with Supreme Court Rule 42 in appealing an interlocutory Superior Court order and, as to Peter Kostyshyn, for his failure to pay the required filing fee in accordance with this Court's Order in *Kostyshyn v. State*, 2015 WL 3647273 (Del. June 9, 2015). Despite filing several non-responsive documents, neither appellant has filed a response to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed by both appellants.

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/ Randy J. Holland*  
Justice