

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RALPH C. O'DAY,	§	
	§	No. 34, 2015
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE,	§	Cr. ID No. 0107018893
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: February 16, 2015

Decided: February 16, 2015

**ORDER**

This 16<sup>th</sup> day of February 2015, it appears to the Court that:

(1) On January 29, 2015, the appellant, Ralph C. O'Day, filed this appeal from his sentencing in the Superior Court on October 30, 2014 on a violation of probation. O'Day also purported to appeal his November 21, 2013 sentencing.

(2) On January 29, 2015, the Senior Clerk issued a notice under Supreme Court Rule 29(b) directing that O'Day show cause why this appeal should not be dismissed as untimely filed. Under Supreme Court Rule 6(ii), an appeal from a violation of probation must be filed within thirty days of sentencing.

(3) O'Day has not responded to the notice to show cause within the ten-day period provided in Supreme Court Rule 29(b). Under Supreme Court Rules 3(b)(2) and 29(b), O'Day's failure to respond to the notice to show cause is deemed to be his consent to the dismissal of this appeal.

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

BY THE COURT:

/s/ Karen L. Valihura  
Justice