

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SHAWN HEATH,

Defendant Below,  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,  
Appellee.

§

§ No. 556, 2015

§

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§ Court Below—Superior Court

§ of the State of Delaware,

§ Cr. ID No. 0906014160

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Submitted: February 2, 2016

Decided: February 5, 2016

**ORDER**

This 5<sup>th</sup> day of February 2016, it appears to the Court that, on January 15, 2016, the Chief Deputy Clerk issued a notice directing the appellant to show cause why this appeal should not be dismissed for his failure to file an opening brief and appendix in this matter on or before January 4, 2016. The appellant has not responded to the notice to show cause within the required ten-day period and therefore dismissal of this appeal is deemed to be unopposed.

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

BY THE COURT:

/s/ Randy J. Holland

Justice