IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEVIN S. THOMAS,	§
	§ No. 638, 2012
Defendant Below,	§
Appellant,	§
	§
V.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID Nos. 0909014951,
Plaintiff Below,	§ 0909018833 and 0909013483
Appellee.	§

Submitted: January 3, 2013 Decided: January 4, 2013

ORDER

This 4th day of January 2013, it appears to the Court that, on December 19, 2012, the Clerk issued a notice to appellant to show cause why this appeal should not be dismissed for his failure to file his notice of appeal in a timely manner. The appellant has failed to respond to the notice to show cause within the required tenday period; therefore, dismissal of this action is deemed to be unopposed.

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/ Carolyn Berger
Justice