

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|-------------------------|---|---------------------------------|
| WILLIAM D. DOWNES, JR., | § | |
| | § | No. 358, 2014 |
| Defendant Below, | § | |
| Appellant, | § | Court Below—Superior Court |
| | § | of the State of Delaware in and |
| v. | § | for Sussex County |
| | § | |
| STATE OF DELAWARE, | § | |
| | § | Cr. ID No. 9408020702 |
| Plaintiff Below, | § | |
| Appellee. | § | |

Submitted: September 9, 2014
Decided: September 10, 2014

ORDER

This 10th day of September 2014, it appears to the Court that, on August 27, 2014, the Clerk issued a notice to the appellant to show cause why this appeal should not be dismissed for his failure to diligently prosecute the appeal by not filing his opening brief and appendix and for his failure to pay the required filing fee. The appellant has failed to respond to the notice to show cause within the required ten-day period. Consequently, dismissal of the appeal is deemed to be unopposed.

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

BY THE COURT:

/s/ Randy J. Holland
Justice