

IN THE SUPREME COURT OF THE STATE OF DELAWARE

OTIS J. FRYE,	§
	§ No. 554, 2013
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 1305009898
Plaintiff Below,	§
Appellee.	§

Submitted: January 6, 2014

Decided: January 9, 2014

ORDER

This 9th day of January 2014, it appears to the Court that, on December 20, 2013, the Chief Deputy Clerk issued a notice to 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 in this matter. The appellant has failed to respond to the notice to show cause within the required ten-day 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/ Henry duPont Ridgely
Justice