

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RODERICK GALLOWAY,	§
	§ No. 586, 2012
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID Nos. 0902015868
	§ 0902005018
Plaintiff Below-	§
Appellee.	§

Submitted: January 21, 2013  
Decided: January 25, 2013

**ORDER**

This 25<sup>th</sup> day of January 2013, it appears to the Court that, on January 8, 2013, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger  
Justice