

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DONALD J. OAKES,	§
	§ No. 472, 2012
Petitioner Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
DEPARTMENT OF CORRECTION	§ in and for New Castle County
RECORDS DEPARTMENT,	§ C.A. No. N12M-08-030
	§
Respondent Below-	§
Appellee.	§

Submitted: November 13, 2012

Decided: November 20, 2012

ORDER

This 20th day of November 2012, it appears to the Court that, on October 25, 2012, the 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/ Myron T. Steele
Chief Justice