

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BARRY BOULDEN,	§
	§ No. 575, 2011
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID Nos. 0902019294
	§ 0710022940
Plaintiff Below-	§
Appellee.	§

Submitted: January 19, 2012

Decided: January 23, 2012

ORDER

This 23rd day of January 2012, it appears to the Court that, on December 30, 2011, 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/ Myron T. Steele
Chief Justice