

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE/NEW
CASTLE COUNTY OFFICE OF
CODE ENFORCEMENT,

Plaintiffs Below,
Appellees.

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§ No. 701, 2011

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Submitted: January 20, 2012

Decided: January 24, 2012

ORDER

This 24th day of January 2012, it appears to the Court that, on January 5, 2012, the Clerk issued a notice to appellant to show cause why this appeal should not be dismissed for his lack of standing, for this Court's lack of jurisdiction, and for his failure to diligently prosecute the appeal by not filing an amended notice of appeal as directed by the Court. 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