

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAUL SOMMERS,	§	
	§	
Defendant Below,	§	No. 392, 2019
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware
	§	
STATE OF DELAWARE,	§	Cr. ID Nos. K1608024463
	§	K1608024390
Plaintiff Below,	§	
Appellee.	§	

Submitted: November 4, 2019

Decided: November 7, 2019

ORDER

On September 12, 2019, the Senior Clerk sent a letter to the appellant directing him to pay the filing fee or file a motion and affidavit to proceed *in forma pauperis* by September 27, 2019, or a notice to show cause why the appeal should not be dismissed would issue. On October 1, 2019, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why this appeal should not be dismissed for the appellant's failure to pay the Supreme Court filing fee or file a motion to proceed *in forma pauperis*. That notice to show cause eventually was returned as undeliverable. On October 18, 2019, the Chief Deputy Clerk resent the notice to show cause, by certified mail, to a different address. On October 24, 2019, the Court received the certified mail receipt indicating that the notice to show cause had been delivered on October 22, 2019. The appellant did not 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 ORDERED, under Supreme Court Rules 3(b) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice