

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ROBIN STEPHENS,	§
	§
Defendant Below,	§ No. 365, 2019
Appellant,	§
	§ Court Below: Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID. No. 1808008764
	§
Plaintiff Below,	§
Appellee.	§

Submitted: November 5, 2019
Decided: November 27, 2019

ORDER

(1) On August 21, 2019, the *pro se* appellant filed a letter requesting forms to file an appeal, which the Clerk deemed to be a notice of appeal from a Superior Court violation of probation sentence order dated August 8, 2019. On August 23, 2019, the Senior Court Clerk sent the appellant a letter enclosing an official Form A notice of appeal and directing the appellant to complete and return the form by September 10, 2019 in order to proceed with the appeal. Also on August 23, 2019, the Senior Court Clerk sent the appellant a letter directing the appellant to file a motion and affidavit to proceed *in forma pauperis* or to pay the filing fee by September 10, 2019.

(2) On September 13, 2019, the Chief Deputy Clerk issued a notice, by certified mail, directing the appellant to show cause why the Court should not

dismiss the appeal for the appellant's failure to diligently prosecute the appeal by filing the Form A notice of appeal and either paying the Supreme Court filing fee or filing a motion to proceed *in forma pauperis*. The notice to show cause directed the appellant to respond within ten days and advised that if the appellant did not respond, dismissal of the appeal would be deemed to be unopposed. On October 7, 2019, the Chief Deputy Clerk resent the notice to show cause to a different address, again by certified mail. The postal service returned the September 13 and October 7 notices as unclaimed. On October 25, 2019, the Chief Deputy Clerk resent the notice to show cause by first-class mail.

(3) The appellant having failed to respond to the notice to show cause within the required ten-day period or to report any change of address to the Court, 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