

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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| MICHAEL FELICIANO, | § |
| | § |
| Defendant Below, | § No. 174, 2024 |
| Appellant, | § |
| | § Court Below: Superior Court |
| v. | § of the State of Delaware |
| | § |
| STATE OF DELAWARE, | § Cr. ID No. 89000046DI (N) |
| | § |
| Appellee. | § |

Submitted: June 11, 2024

Decided: June 17, 2024

ORDER

(1) On April 25, 2024, the appellant filed this appeal from a Superior Court order denying a successive motion for postconviction relief. The Senior Court Clerk sent the appellant a letter directing him to pay the filing fee or to file a motion and affidavit to proceed *in forma pauperis* by May 10, 2024. On May 14, 2024, the Chief Deputy Clerk sent another letter directing the appellant to either file a motion and affidavit to proceed *in forma pauperis* or pay the filing fee by May 28, 2024, or a notice to show cause would issue.

(2) On May 30, 2024, the Chief Deputy Clerk issued a notice, sent 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 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 June 3, 2024, the Court received the certified-mail receipt indicating that the notice had been delivered on May 31, 2024.

(3) The appellant having failed to respond to the notice to show cause within the required ten-day period, 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/ N. Christopher Griffiths
Justice