

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DERRICK SMITH,

Defendant,
Appellant,

v.

STATE OF DELAWARE,

Appellee.

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§ No. 501, 2025

§

§ Court Below: Superior Court
§ of the State of Delaware

§

§ Cr. ID No. 1101020846 (N)

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Submitted: March 3, 2026

Decided: March 10, 2026

ORDER

The Court issued a briefing schedule in this appeal on January 2, 2026; the appellant's opening brief was due February 2. The appellant did not file an opening brief. On February 5, the Chief Deputy Clerk sent a brief delinquency notice to the appellant. The appellant did not respond to the letter and did not file an opening brief. On February 17, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why this appeal should not be dismissed because the appellant had not filed an opening brief and appendix. The notice was delivered February 20, 2026. The appellant having failed to respond to the notice to show cause within the required ten-day period or to file the opening brief, dismissal of this action is deemed unopposed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice