IN THE SUPREME COURT OF THE STATE OF DELAWARE

| | | |
|---|---|---|
| PATRICIA KOSTYSHYN, ET AL., | § | |
| | § | No. 399, 2026 |
| | § | |
| Defendants Below, Appellants, | § | Court Below–Superior Court of the State of Delaware |
| | § | |
| v. | § | C.A. No. N25J-01063 |
| | § | |
| NEW CASTLE COUNTY, a political subdivision of the State of Delaware, | § | |
| | § | |
| | § | |
| | § | |
| Plaintiff Below, Appellee. | § | |
| | § | |

Submitted: November 13, 2026
Decided: November 19, 2026

**ORDER**

On August 31, 2026, the appellants filed a notice of appeal from the Superior Court's August 27, 2026 order denying their "Motion for Emergency Stay of 9/1/26 Eviction," but did not pay the Supreme Court filing fee. On September 3, the Senior Court Clerk sent a letter to the appellants directing them to pay the filing fee or file a motion and affidavit to proceed *in forma pauperis* by September 17. On September 21, the Chief Deputy Clerk sent another letter directing the appellants to either pay the filing fee or file a motion to proceed *in forma pauperis* by October 5 or a notice to show cause would issue. On October 6, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellants to show cause why this appeal should

not be dismissed for their failure to pay the filing fee or file a motion to proceed *in forma pauperis*. On October 23, the United States Postal Service tracking information sheet showed that on October 10, the notice had been left with an individual in the reception area of the address provided to the Court by the appellants. On October 29, the Chief Deputy Clerk re-issued the notice to show cause by first class mail. A timely response to the notice to show cause was due on or before November 12, 2026. To date, the appellants have not paid the Court's filing fee, filed a motion to proceed *in forma pauperis*, or responded to the notice to show cause. Dismissal of this appeal is therefore deemed to be unopposed.

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

BY THE COURT:

*/s/ Morgan T. Zurn*
Justice