

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF DISMISSAL

Supreme Court No. 20210106
Foster Co. Court No. 2020-CR-00068

State of North Dakota,

Plaintiff and Appellee

v.

Nicholas James Morgan-DeRosier,

Defendant and Appellant

[¶1] On April 5, 22021, Nicholas James Morgan-DeRosier filed a notice of appeal from a district court judgment entered on March 4, 2021. Morgan-DeRosier’s Appellant’s brief and appendix were due July 17, 2021, but they were not received. By letter dated July 22, 2021, Morgan-DeRosier was notified that unless he filed an affidavit no later than 4 p.m. August 5, 2021, showing good cause why this action should not be dismissed, the matter will be referred to the Court for authority to issue an Order dismissing the appeal. No response was received. The Court considered the matter, and

[¶2] ORDERED, the appeal is DISMISSED for failure to proceed under the Rules of Appellate Procedure.

[¶3] The Supreme Court of the State of North Dakota convened this 11th day of August, 2021, with, the Honorable Jon J. Jensen, Chief Justice, and the Honorable Gerald W. VandeWalle, the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, the Honorable Jerod E. Tufte, Justices, directing the Clerk of the Supreme Court to enter the above order.

/s/ Petra H. Mandigo Hulm
Clerk
North Dakota Supreme Court

