From:

Tolliver, Sheila

Sent:

Monday, August 11, 2014 1:48 PM

To:

Habicht, Kelli; Regner, Robin

Subject:

FW: Football

Please file with CB 32-2013 (comp zoning)

From: Ellron [mailto:ellron2@verizon.net] **Sent:** Wednesday, July 30, 2014 12:54 PM

To: Ball, Calvin B

Cc: Courtney Watson; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Tolliver, Sheila

Subject: Re: Football

Dr. Ball:

We shall not set aside our complaints and concerns against the silence of the council, the impotence of the Circuit Court, the atrocious decision of the Board of Elections, and the invasion of the private lives of petition circulators by William Erskine and the firm of Offit/Kurman. That said, here is what we want from the council:

We want the council to publically lend its moral authority, as the leading political body in the county, to our effort to have the referendum put on the ballot in November. We want you to do this prior to the hearing at the Special Court of Appeals on Monday August 4, 2014. Issue a public statement calling for the referendum to be placed on the ballot in November.

You also asked in your most recent communication for us to tell you and the council just what State Senator Allan Kittleman has done in support of our case to have the referendum on the ballot. Well, here it is:

- a. He introduced a bill in the Maryland Senate to prevent in the future the kind of action taken by the Board of Elections with respect to our referendum push.
- b. He attended the fixhoco rally held at the County Council building last Monday July 21, 2014; and you specifically recognized his presence at the County Council public hearing that evening.
- c. At a town hall in Savage on July 22, 2014, he stated his full support for referendum rights and for our referendum to be placed on the ballot in November.
- d. And finally, you can find his statement of full support for our referendum on his website.

We would like to be able to say that you, other Council members and, especially, candidate Watson have positively contributed to our campaign to have the referendum placed on the ballot. Will you and the Council support us as State Senator Allan Kittleman is doing?

Respectfully, Ronald Coleman LCSW-C

On 7/29/14 6:47 PM, "Ball, Calvin B" < cbball@howardcountymd.gov> wrote:

I appreciate your response. Please note that not only is State Board of Elections is responsible for managing and supervising elections but the referendum process is governed by state law.

Setting that aside, could you please help us understand what exactly Senator Kittleman has done to lend his moral authority so that we may have a better sense of exactly what you are looking for the Council to do?

Dr. Calvin Ball Council Chairperson

Howard County Council, District 2

Ph: 410-313-2001 <tel:410-313-2001>

www.howardcountymd.gov/District2Bio http://www.howardcountymd.gov/District2Bio

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https://notifyme.howardcountymd.gov/index.php?CCheck=1 and select Howard County Council, District 2 alerts.

On Jul 29, 2014, at 12:29 PM, "Ellron" < ellron2@verizon.net > wrote:

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Sir, your response is full of past action references. My challenge to you and other members of the County Council is to deal with the present day and the future drop-dead date, August 18th, for getting our referendum on the ballot in November. Speak out against the Board of Elections. The VOTERS of Howard County want a chance to choose whether they are for or against some of the most egregious development in recent years.

The silence of the County Council toward the Board of Elections action is very loud. The recusal of the County's entire Circuit Court from our legal case against the Board of Elections is astonishing. And to top all that, you are considering the reappointment of William Erskine of the firm Offit/Kurman to a high position on the Economic Development Board while he is hunting down county petition citizens with motions of bodily attachments in a phony fishing expedition into their private lives.

Please connect the dots and show yourselves as public servants who agree with H. L. Mencken when he said a hundred years ago: "I am strongly in favor of common sense, common honesty and common decency". The actions of Offit/Kurman, in complicity with the Board of Elections, have none of the afore mentioned characteristics.

If you truly support the right to referendum, then, stand up and out for the 7000 registered voters of Howard County who knowingly gave the petition gathers the required number of signatures to be certified by the BOE therefore meeting the criteria to have our referendum

[&]quot;Unity is strength... when there is teamwork and collaboration, wonderful things can be achieved." Mattie Stepanek

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While I do not fully understand your assertion that Senator Kittleman stands with you in words and actions, the County Council consistently has supported the right of petition and, where a change in local law served to clarify that right, we have shown leadership to ensure it.

All the best,

Dr. Calvin Ball Council Chairperson Howard County Council, District 2

Ph: 410-313-2001

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Stepanek

From: Ellron [mailto:ellron2@verizon.net]

Sent: Saturday, July 26, 2014 12:18 PM

To: Ellen Long; Courtney Watson; Ken S. Ulman; Terrasa, Jen; Ball, Calvin B; Sigaty, Mary Kay; Fox, Greg;

allan.kittleman@senate.state.md.us

Subject: Re: Football

PS: a statement from Susan Garber:

You (Ms Watson) reference the proposed state legislation which failed. You failed however, to report that when there were hearings on the legislation (introduced by State Senator Kittleman) no one from the Howard Co. Council, administration, or legislature showed up to support its passage.

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Thank you for your prompt response and for your past efforts. However, I wish to bring to you and your colleagues the present urgency of our position.

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It is our duty to raise the political temperature in order to exact an unequivocal public statement from those in authority to support the referendum right now. The public needs to know where you stand.

Your opponent, State Senator Kittleman, stands with us in words and actions. We ask that you and other council members make a public declaration in support of the referendum's placement on the ballot in November. Is that too much to ask in the face of your county citizens being tactically intimidated and hunted down like common criminals for exercising their First Amendment and referendum rights by collecting 7000 registered voter signatures in favor of the referendum? Please declare.

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I wrote and published this blog post - and cut and paste here for your review. I think it addresses some of your questions and provides my position on the issues all the way back to 2010. CW

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In 2009, after the Board of Elections expressed confusion with regard to laws on referendums, I sponsored Howard County Council Bill 34-2010. The Bill, which passed unanimously, clarified for the Board of Elections that Maryland state law governs the rules of referendum.

Shortly after passing the legislation, we asked the state delegation to clarify Maryland state law. Again, in December 2013, I wrote to our delegation < http://www.courtneywatson.com/news-clips/state-should-give-referendum-process-second-look in Annapolis and asked that they review the law to ensure that the citizen's right to referendum was protected. Specifically, I asked the delegation to review the process to ensure that "the requirements specific to petitions are clear and that the process of crafting petitions and petition approval will be improved".

In response, the state delegation put forth two bills for consideration by the full general assembly in Annapolis. One bill passed the senate but was stalled in a house committee on the last day of the session by the chairperson of the subcommittee who felt there was not enough time for members to study the impact of the bill on other jurisdictions across the state. In response, the chairman of the Howard County delegation, Guy Guzzone, pledged to file the bill again in the 2015 session.

It is disheartening that no action was taken in Annapolis in 2014 and that Howard County citizens who relied on and followed the Board of Elections guidance were later told by the Board of Elections that the process they followed did not meet the standard of the law.

The referendum of 2014 has now moved into the court system. I expect the lawyers from the opposing sides to respect the judicial process, avoid using overreaching tactics, and look for a fair resolution that does not exploit citizens who were collecting signatures in good faith.

Finally, the State has a responsibility to its citizens to ensure their right to referendum. As County Executive, I willencourage our elected state delegation as they seek votes needed from other jurisdictions when they put forth a new bill in 2015 to clarify existing state law.

Sent from my iPad

On Jul 25, 2014, at 1:23 PM, "Ellron" < ellron2@verizon.net> wrote: Re: Football The Referendum Football Game

""THE CALL"

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Baltimore and Pittsburg, as they are every football season, Begins a game locked into a tight race to make it to the playoff. To start the game, Pittsburg kicks off to Baltimore who promptly runs it back for a touch down.

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Ronald Coleman LCSW-C

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Hi, I cannot open this attachment - can you cut and paste?

Sent from my iPad

On Jul 25, 2014, at 1:04 PM, "Ellron" < ellron2@verizon.net > wrote:

Football Dear Ms. Watson:

Please read the attached. It is important for you to listen to citizens of Howard County. We are unhappy.

Thank you.

Ron Coleman

Ellen Long

8800 Baltimore Street

Savage, MD 20763

301 725 2478

<33010.vRge08Message>

.

From:

Tolliver, Sheila

Sent:

Monday, August 11, 2014 1:38 PM

To:

Habicht, Kelli

Subject:

FW: GHCA Appeal:YOU ARE NEEDED ON MONDAY THE 4TH

Attachments:

Untitled.jpg

Please file with CB 32-2013 (comp zoning)

From: Sigaty, Mary Kay

Sent: Sunday, August 03, 2014 7:13 AM

To: Ball, Calvin B; Courtney Watson; Terrasa, Jen; Fox, Greg

Cc: Tolliver, Sheila

Subject: Fwd: GHCA Appeal: YOU ARE NEEDED ON MONDAY THE 4TH

In case you haven't seen this.

Mary Kay Sigaty Howard County Council District 4 410-313-2001

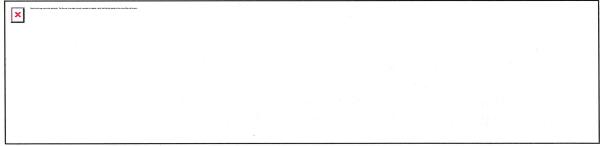
Begin forwarded message:

From: < DanielOL@aol.com>

Date: August 2, 2014 at 5:01:58 PM EDT

To: <DanielOL@aol.com>

Subject: Fwd: GHCA Appeal: YOU ARE NEEDED ON MONDAY THE 4TH



This message is from Fix HOCO:

You are needed outside at the Court of Special Appeals in Annapolis on Monday, August 4th.

Make a statement to save our democratic right for a referendum!

9:30 AM until about 12 Noon. We need dozens of visible citizens to appear as a unified and determined group.

The court is at 361 Rowe Blvd, Annapolis at Herbert Sachs Boulevard. (2nd light).

The parking situation is that you go to the Navy/Marine Corps Memorial Stadium on Taylor, the second light on Rowe Boulevard off Route 50.

There may be a charge for this parking and I will get that info today, so CAR POOL, if possible.

We can gather at the Court of Appeals building at Rowe Boulevard and Herbert Sachs Boulevard, which is one-half a block

Unfortunately, the courtroom only holds about 25-30 people, and each side, at about 10:30, Monday, will get their 20 minutes of presentation.

If you make a sign, put "Fixhoco.com for information" at the bottom.

Referendum Judicial Hearing

Our lawyers, Susan Gray and Allen Dyer, have worked tirelessly and pro bono to obtain a fair judicial review of our quest to get the Referendum placed on the ballot in November 2014. They have done this against great odds put up by the developers and their lawyers in Howard County.

Now, they are asking for our visible support in Annapolis on Monday at the Special Court of Appeals. We will work all weekend to get as many people out as possible to show solidarity with our lawyers prior and during the hearing. The hearing is scheduled to be heard at approximately 10:30am.

This effort will entail hours of work this weekend through emails, phone banks, and word of mouth communication to the communities of Howard County.

Susan and Allen need OUR support. It is important to get the word out.

Following are some radio talk show numbers to call, should anyone be interested:

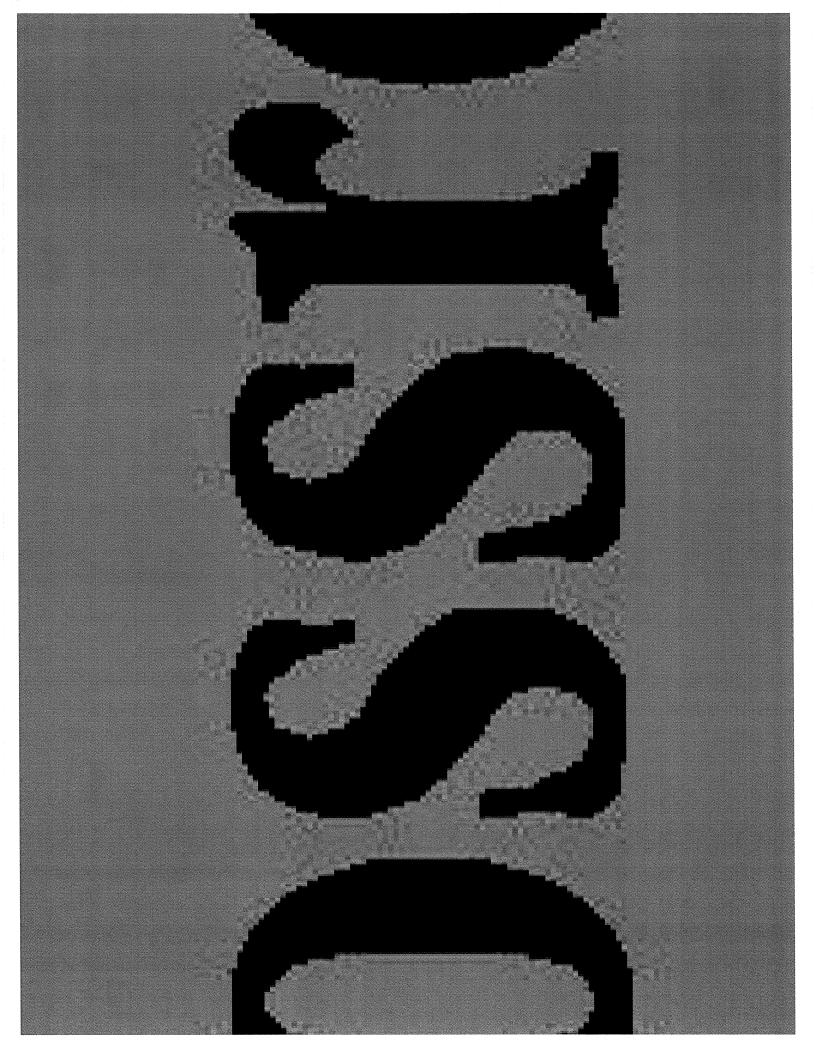
WMAL 630

WMAL Studio Lines: 202-432-WMAL (9625) | 888-630-WMAL (9625) | #630 on ATT Wireless

WCBM 680 WCBM Studio Call In - 410-922-6680 (410-WCBM-680) or Toll Free anywhere in MD - 1-800-922-6680 (1-800-WCBM-680)

WBAL 1090 Main Talkshow Call-in 410.467.WBAL(9225) Verizon Wireless *WBAL

AT&T Wireless #WBAL SPREAD THE WORD



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Monday, August 11, 2014 1:48 PM

To:

Habicht, Kelli; Regner, Robin

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FW: Football

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Ellen Long
8800 Baltimore Street
Savage, MD 20763
301 725 2478

<33010.vRge08Message>

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Dear Councilman Ball:

Sir, your response is full of past action references. My challenge to you and other members of the County Council is to deal with the present day and the future drop-dead date, August 18th, for getting our referendum on the ballot in November. Speak out against the Board of Elections. The VOTERS of Howard County want a chance to choose whether they are for or against some of the most egregious development in recent years.

The silence of the County Council toward the Board of Elections action is very loud. The recusal of the County's entire Circuit Court from our legal case against the Board of Elections is astonishing. And to top all that, you are considering the reappointment of William Erskine of the firm Offit/Kurman to a high position on the Economic Development Board while he is hunting down county petition citizens with motions of bodily attachments in a phony fishing expedition into their private lives.

Please connect the dots and show yourselves as public servants who agree with H. L. Mencken when he said a hundred years ago: "I am strongly in favor of common sense, common honesty and common decency". The actions of Offit/Kurman, in complicity with the Board of Elections, have none of the afore mentioned characteristics.

If you truly support the right to referendum, then, stand up and out for the 7000 registered voters of Howard County who knowingly gave the petition gathers the required number of signatures to be certified by the BOE therefore meeting the criteria to have our referendum placed on the ballot. Meet with us publically and declare to all that you want to have our petition on the ballot so that all the voters in the county can express their opinion on the referendum issues — that is what I mean when I say stand with us in words and actions. Lend your moral authority to our cause as did State Senator Kittleman.

Now, how hard is that?

Respectfully

Ronald Coleman LCSW-C

On 7/28/14 1:00 PM, "Ball, Calvin B" < cbball@howardcountymd.gov> wrote:

Mr. Coleman,

Thank you for your email regarding legislation related to the referendum. We appreciate your support for the failed legislation introduced by Senator Kittleman which would have required the Boards of Elections to certify the adequacy of the language of a petition before signatures are collected. It is true that members of the Howard County Council did not testify on this proposed State legislation, nor did Senator Kittleman's office request our testimony, a customary courtesy if a bill has a particular local impact. This proposal, of course, was a statewide bill, not one particular to Howard County. The County Council fully supports the right of the citizens to petition legislation to referendum, as provided in our Charter. We were and are prepared to accept the related provisions in State law that apply to all local jurisdictions. The local election boards, which are State entities, and their legal representatives did testify about their capacity to comply with the proposed change, as they would have felt most directly the impact and cost associated with SB 848.

You may be aware that the County Council unanimously supported Council Bill 34-2010, sponsored by Courtney Watson and co-sponsored by Greg Fox, which clarified that the signatures on a petition in Howard County should be declared valid as long as they are consistent with State law. Senator Kittleman did not testify on Council Bill 34-2010, which clarified local procedures.

While I do not fully understand your assertion that Senator Kittleman stands with you in words and actions, the County Council consistently has supported the right of petition and, where a change in local law served to clarify that right, we have shown leadership to ensure it.

All the best,

Dr. Calvin Ball Council Chairperson

Howard County Council, District 2

Ph: 410-313-2001

www.howardcountymd.gov/District2Bio < http://www.howardcountymd.gov/District2Bio >

"LIKE" me on Facebook: www.facebook.com/CalvinBallTeam http://www.facebook.com/CalvinBallTeam Sign-Up for District 2 alerts through NotifyMeHoward. Register here

< https://notifyme.howardcountymd.gov/index.php?CCheck=1 > and select Howard County Council, District 2 alerts.

"Unity is strength... when there is teamwork and collaboration, wonderful things can be achieved." \sim Mattie Stepanek

From: Ellron [mailto:ellron2@verizon.net]
Sent: Saturday, July 26, 2014 12:18 PM

To: Ellen Long; Courtney Watson; Ken S. Ulman; Terrasa, Jen; Ball, Calvin B; Sigaty, Mary Kay; Fox, Greg;

allan.kittleman@senate.state.md.us

Subject: Re: Football

PS: a statement from Susan Garber:

You (Ms Watson) reference the proposed state legislation which failed. You failed however, to report that when there were hearings on the legislation (introduced by State Senator Kittleman) **no one** from the Howard Co. Council, administration, or legislature showed up to

support its passage.

On 7/26/14 9:13 AM, "Ellen Long" < ellron2@verizon.net > wrote:

Thank you for your prompt response and for your past efforts. However, I wish to bring to you and your colleagues the present urgency of our position.

Our organization, fixhoco, faces a drop-dead date of August 18, 2014 with respect to getting the referendum on the ballot in November of this year.

It is our duty to raise the political temperature in order to exact an unequivocal public statement from those in authority to support the referendum right now. The public needs to know where you stand.

Your opponent, State Senator Kittleman, stands with us in words and actions. We ask that you and other council members make a public declaration in support of the referendum's placement on the ballot in November. Is that too much to ask in the face of your county citizens being tactically intimidated and hunted down like common criminals for exercising their First Amendment and referendum rights by collecting 7000 registered voter signatures in favor of the referendum? Please declare.

Ronald Coleman

On 7/25/14 9:28 PM, "Courtney Watson" < cwatson@howardcountymd.gov> wrote: Mr. Coleman,

I wrote and published this blog post - and cut and paste here for your review. I think it addresses some of your questions and provides my position on the issues all the way back to 2010. CW

Howard County citizens, wishing to exercise their right to bring a legislative decision to popular vote, have found that Maryland State law, which governs the referendum process, is unclear and difficult to execute.

In 2009, after the Board of Elections expressed confusion with regard to laws on referendums, I sponsored Howard County Council Bill 34-2010. The Bill, which passed unanimously, clarified for the Board of Elections that Maryland state law governs the rules of referendum.

Shortly after passing the legislation, we asked the state delegation to clarify Maryland state law. Again, in December 2013, I wrote to our delegation http://www.courtneywatson.com/news-clips/state-should-give-referendum-process-second-look in Annapolis and asked that they review the law to ensure that the citizen's right to referendum

was protected. Specifically, I asked the delegation to review the process to ensure that "the requirements specific to petitions are clear and that the process of crafting petitions and petition approval will be improved".

In response, the state delegation put forth two bills for consideration by the full general assembly in Annapolis. Onebill passed the senate but was stalled in a house committeeon the last day of the session by the chairperson of the subcommittee who felt there was not enough time for members to study the impact of the bill on other jurisdictions across the state. In response, the chairman of the Howard County delegation, Guy Guzzone, pledged to file the bill again in the 2015 session.

It is disheartening that no action was taken in Annapolis in 2014 and that Howard County citizens who relied on and followed the Board of Elections guidance were later told by the Board of Elections that the process they followed did not meet the standard of the law.

The referendum of 2014 has now moved into the court system. I expect the lawyers from the opposing sides to respect the judicial process, avoid using overreaching tactics, and look for a fair resolution that does not exploit citizens who were collecting signatures in good faith.

Finally, the State has a responsibility to its citizens to ensure their right to referendum. As County Executive, I willencourage our elected state delegation as they seek votes needed from other jurisdictions when they put forth a new bill in 2015 to clarify existing state law.

Sent from my iPad

On Jul 25, 2014, at 1:23 PM, "Ellron" < ellron2@verizon.net> wrote: Re: Football The Referendum Football Game

""THE CALL"

As the referendum over rapid congestive development heats up, let's further clarify just what the county Board of Elections prejudicial actions were in this matter. Here is the story:

Baltimore and Pittsburg, as they are every football season, Begins a game locked into a tight race to make it to the playoff. To start the game, Pittsburg kicks off to Baltimore who promptly runs it back for a touch down.

Three hours later the stadium is ecstatic as the clock counts down to 0 with Baltimore in the lead by 2 points – Baltimore 22 and Pittsburg 20. When the clock strikes 0, the

referee blows the whistle and announces that there will be no winner of the game. Why? He says to the astonished stadium that three hours ago when Baltimore ran the kickoff back for a touch down, the player stepped out of bounds before reaching the end zone.

Now, do you think that referee made it out of the stadium alive? I don't think so. And you know what, the BOE's current way of operating should not survive either. Legislation is needed to force the BOE to make a call on the appropriateness of the petition form before it sanctions volunteers to go out and collect signatures. That is the only thing that makes any common sense.

Otherwise, the whole referendum process in the county is strictly serendipity and dictated by the person in charge. If the umpire misses the call at the home plate, he can't reverse himself at the end of the game.

What puzzles me even more is that our sitting county council does not get it either. It, seemingly, washed its hands of the matter via a statement issued under the name of Dr. Sheila Tolliver, Chief Administrator of the County Council. As if turning a deaf ear to the issues, the County Council did not have enough fiber in its bones to express moral out rage over the matter in a public hearing July 21, 2014. Maybe this fall, the voters should wash their hands of these politicians who cannot call for fair play.

Ronald Coleman LCSW-C

On 7/25/14 1:18 PM, "Courtney Watson" < cwatson@howardcountymd.gov> wrote:

Hi, I cannot open this attachment - can you cut and paste?

Sent from my iPad

On Jul 25, 2014, at 1:04 PM, "Ellron" < ellron2@verizon.net > wrote:

Football Dear Ms. Watson:

Please read the attached. It is important for you to listen to citizens of Howard County. We are unhappy.

Thank you.

Ron Coleman

Ellen Long

8800 Baltimore Street

Savage, MD 20763

301 725 2478

<33010.vRge08Message>

4044000 110000000								

From:

Tolliver, Sheila

Sent:

Tuesday, August 19, 2014 1:39 PM

To:

Habicht, Kelli

Cc:

Wimberly, Theo; Regner, Robin

Subject:

FW: Jane Gray, et al. v. Howard County Board of Elections, Petition Docket No. 366,

September Term, 2014

Attachments:

image001.gif; ATT00001.htm; Gray, et al. v. Howard Co. Bd of Elections, Pet No. 366 -

2014 Term - Order.pdf; ATT00002.htm

Please copy the court order attached and file with CB 32-2013. (comp. zoning)

Sheila

----Original Message-----

From: Erskine, William [mailto:werskine@offitkurman.com]

Sent: Tuesday, August 19, 2014 12:23 PM

To: CouncilMail Cc: Yeager Amanda

Subject: Fwd: Jane Gray, et al. v. Howard County Board of Elections, Petition Docket No. 366, September Term, 2014

Please see attached.

Sent from my iPhone

Begin forwarded message:

From: Doneice Burnette < doneice.burnette@mdcourts.gov < mailto:doneice.burnette@mdcourts.gov >>

Date: August 19, 2014 at 12:01:34 PM EDT

To: "susan@campsusan.com<mailto:susan@campsusan.com>"

<susan@campsusan.com<mailto:susan@campsusan.com>>, "aldyer@lawlab.com<mailto:aldyer@lawlab.com>"

<aldyer@lawlab.com<mailto:aldyer@lawlab.com>>, "Erskine, William"

<werskine@offitkurman.com<mailto:werskine@offitkurman.com>>,

"kevin@bkcklaw.com<mailto:kevin@bkcklaw.com>" <kevin@bkcklaw.com<mailto:kevin@bkcklaw.com>>>, Sang Oh

<soh@talkin-oh.com<mailto:soh@talkin-oh.com>>

Cc: Bessie Decker < bessie.decker@mdcourts.gov < mailto:bessie.decker@mdcourts.gov >> , Terry Ruffatto

<terry.ruffatto@mdcourts.gov<mailto:terry.ruffatto@mdcourts.gov>>, Greg Hilton

<Greg.Hilton@mdcourts.gov<mailto:Greg.Hilton@mdcourts.gov>>,

"linda.lamone@maryland.gov<mailto:linda.lamone@maryland.gov>"

linda.lamone@maryland.gov<mailto:linda.lamone@maryland.gov>>

Subject: Jane Gray, et al. v. Howard County Board of Elections, Petition Docket No. 366, September Term, 2014

JANE GRAY, ET AL.

* IN THE

* COURT OF APPEALS

* OF MARYLAND

 \mathbf{v}_{\bullet}

Petition Docket No. 366
 September Term, 2014

HOWARD COUNTY BOARD OF ELECTIONS

* (No. 690, Sept. Term, 2014 Court of Special Appeals)

ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals and the request for expedited review, the lines and the answers filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition be, and it is hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Mary Ellen Barbera
Chief Judge

DATE: August 19, 2014