

June 9, 1953

Joseph Sherbow, Esquire
Attorney at Law
1316 Munsey Building
Baltimore-2, Maryland

Dear Mr. Sherbow:

Your petition in the case of
Grammer v. State, No. 18, October Term, 1953, has
been presented to the Court and you are hereby noti-
fied that the Court has passed an order permitting the
filing of fifteen copies of said Analysis and Outline
in the form attached to said petition in lieu of print-
ing the same in the Joint Appendix.

Very truly yours,

JLY/ahb

Copy to:

Hon. Edward D. E. Rollins
Attorney General
1201 Mathieson Bldg.
Baltimore-2, Md.

Anselm Sodaro, Esq.
State's Attorney for
Baltimore City
Court House
Baltimore-2, Md.

SHERBOW & SHERBOW

ATTORNEYS AT LAW

1316 MUNSEY BUILDING

BALTIMORE 2, MD.

TELEPHONE
LEXINGTON 8118

JOSEPH SHERBOW
THEODORE SHERBOW

EDWARD F. SHEA, JR.

June 2, 1953

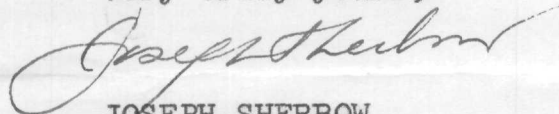
Maurice Ogle, Esquire
Clerk, Court of Appeals of Maryland
Court of Appeals Building
Annapolis, Maryland

Re: George Edward Grammer vs
State of Maryland
In the Court of Appeals of
Maryland
No. 18; October Term, 1953

Dear Mr. Ogle:

Please file the enclosed Petition in the
above entitled case.

Very truly yours,



JOSEPH SHERBOW

JS:ce
Encls.

GEORGE EDWARD GRAMMER

:

IN THE

vs

COURT OF APPEALS

STATE OF MARYLAND

:

OF MARYLAND

No. 18

October Term 1953

: : : : : :

PETITION

George Edward Grammer, Appellant, respectfully represents unto this Honorable Court:

1. That the Appellant has heretofore filed with the Clerk of the Criminal Court of Baltimore City as Defendant's Exhibit No. 7 the original newspapers of the Baltimore News-Post for the period of August 29, 1952 to October 23, 1952; of the Baltimore American for the period of August 31, 1952 through October 19, 1952; of The Evening Sun for the period August 28, 1952 through October 23, 1952, and The Morning Sun for the period August 28, 1952 through October 23, 1952.

2. Since the aforesaid newspapers constitute a voluminous and physically massive exhibit, Appellant's counsel had prepared for use before the Supreme Bench of Baltimore City an Analysis and Outline of these newspapers. This Analysis and Outline is on paper 8½" x 14" and is printed by the multilith process. A copy is attached hereto as "Exhibit A". This Exhibit was used in the argument before the Supreme Bench of Baltimore on the motion for a new trial.

3. Appellant desires to include said Analysis and Outline in the Joint Appendix to be filed in this case and requests the permission of this Honorable Court to file 15 copies of said Analysis and Outline as part of the Joint Appendix in the same format as in "Exhibit A". By so doing, the cost of additional printing will be saved, and the larger size of the page makes the comparison sought to be made readily apparent to the eye of the reader.

WHEREFORE, the Appellant respectfully prays that this Honorable Court pass an order permitting the filing of 15 copies

of said Analysis and Outline in the form attached hereto
in lieu of printing the same in the Joint Appendix.

And as in duty bound, etc.

Joseph Heebner
Richard Dulzer

Edward F. Shea, Jr.
Attorneys for Appellant

We hereby certify that we have mailed a copy of the
within Petition to the Attorneys for the Appellee.

Richard Dulzer
Of counsel for Appellant

Ordered as prayed
Simon E. Schell
June 9, 1953

No. 15 - Oct. 7, 1953

And as in duty bound, etc.
in lieu of printing the same in the Joint Appendix.
of said Analysis and Outline in the form attached hereto

[Faint signature]

*Order permitting
file of 15 copies
of Analysis.*

We hereby certify that we have mailed a copy of the
within Petition to the Attorneys for the Appellee.

[Faint signature]
Of counsel for Appellant

Filed June 9-1953

[Faint signature]
Attorneys for Appellant

*James P. ...
James P. ...
James P. ...*

GEORGE EDWARD GRAMMER,
Appellant,

vs.

STATE OF MARYLAND,
Appellee

*

*

*

*

*

*

IN THE
COURT OF APPEALS
OF MARYLAND
No. 18

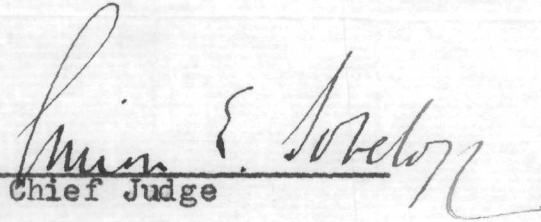
October Term, 1953

* *

ORDER

Upon consideration of the State's Petition for remand of the record to the Criminal Court of Baltimore City or in the alternative to expunge certain parts thereof, and the Answer of the Appellant thereto, the Petition is denied, reserving the contentions raised for determination at the hearing of the appeal on its merits.

May 20, 1953.


Chief Judge

Filed:
Maurice Ogle
Clerk Court of Appeals.

IN THE
COURT OF APPEALS
OF MARYLAND
No. 18
October Term, 1953

GEORGE EDWARD GRAMMER,

Appellant,

vs.

STATE OF MARYLAND,

Appellee

**

ORDER

Upon consideration of the State's Petition for
remand of the record to the Criminal Court of Baltimore
City or in the alternative to expunge certain parts
thereof, and the Answer of the Appellant thereto, the
Petition is denied, reserving the contentions raised
for determination at the hearing of the appeal on its
merits.

Order of Court

Filed May 20 - 1953

No. 18 - Oct. T. 1953

[Signature]
Chief Judge

May 20, 1953

John M. ...

SHERBOW & SHERBOW

ATTORNEYS AT LAW

1316 MUNSEY BUILDING

BALTIMORE 2, MD.

TELEPHONE
LEXINGTON 8118

JOSEPH SHERBOW
THEODORE SHERBOW

EDWARD F. SHEA, JR.

May 19, 1953

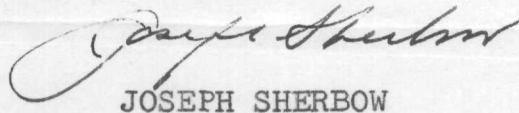
Maurice Ogle, Clerk
Court of Appeals of Maryland
Court of Appeals Building
Annapolis, Maryland

Re: George Edward Grammer vs.
State of Maryland
In the Court of Appeals of
Maryland
No. 18; October Term, 1953

Dear Mr. Ogle:

Please file the enclosed Stipulation of counsel
as to extending the time for filing of briefs and also
for filing a joint appendix in the above entitled case.

Very truly yours,



JOSEPH SHERBOW

JS:ce
Cc. Ambrose T. Hartman, Esq.

GEORGE EDWARD GRAMMER

:

IN THE

v.

:

COURT OF APPEALS OF MARYLAND

:

No. 18

STATE OF MARYLAND

:

October Term, 1953

STIPULATION

It is hereby stipulated and agreed by and between counsel for the parties to the above entitled case, in accordance with the provisions of Section 4 of Rule No. 40 of the Rules of the Court of Appeals of Maryland, that the time for filing of the Appellant's Brief in this action be extended to and including July 21, 1953, and the time for the filing of the Brief by the Appellee in this action be extended to and including September 24, 1953.

And it is further stipulated and agreed that a Joint Appendix shall be filed by the parties herein. It is understood that, if it is deemed necessary, an additional Appendix may be filed with the Brief of either the Appellant or Appellee.

Joseph Heilman
Richard Wilson

Edward F. Shea, Jr.
Attorneys for Appellant

Edmund D. C. Rollins
Attorney General

Ambrose T. Heston
Asst. Attorney General
Attorneys for Appellee

A. H. B.
W. S.

STATE OF MARYLAND :
 v. :
 GEORGE EDWARD GRAMMER :
 IN THE :
 COURT OF APPEALS OF MARYLAND :
 No. 18 :
 October Term, 1953 :

STIPULATION

It is hereby stipulated and agreed by and between counsel for the parties to the above entitled case, in accordance with the provisions of Section 4 of Rule No. 10 of the Rules of the Court of Appeals of Maryland, that the time for filing of the Appellant's brief in this action be extended to and including July 21, 1953, and the time for the filing of the Brief by the Appellee in this action be extended to and including September 21, 1953.

And it is further stipulated and agreed that a Joint Appendix shall be filed by the parties herein. It is understood that, if it is deemed necessary, an additional Appendix may be filed with the Brief of either the Appellant or Appellee.

Filed May 20 - 1953

Appellee

[Signature]

[Signature]

[Signature]
 Attorneys for Appellant

[Signature]
 Attorney General

[Signature]
 Asst. Attorney General
 Attorneys for Appellee

No. 18 - Oct. T. 1953

[Handwritten initials]

SHERBOW & SHERBOW

ATTORNEYS AT LAW

1316 MUNSEY BUILDING

BALTIMORE 2, MD.

JOSEPH SHERBOW
THEODORE SHERBOW

EDWARD F. SHEA, JR.

TELEPHONE
LEXINGTON 8118

May 19, 1953

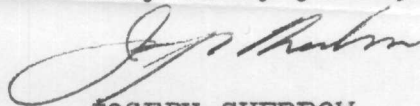
Maurice Ogle, Clerk
Court of Appeals of Maryland
Court of Appeals Building
Annapolis, Maryland

Re: George Edward Grammer vs
State of Maryland
In the Court of Appeals
of Maryland
No. 18; October Term, 1953

Dear Mr. Ogle:

Please file the enclosed Answer in the above
entitled case.

Very truly yours,



JOSEPH SHERBOW

JS:ce
Encls.

GEORGE EDWARD GRAMMER,

:

Appellant,

vs

:

STATE OF MARYLAND

Appellee

:

IN THE
COURT OF APPEALS OF

MARYLAND
No. 18
October Term, 1953

: : : : : :

ANSWER TO PETITION FOR REMAND OF THE RECORD TO THE CRIMINAL COURT OF BALTIMORE, OR, IN THE ALTERNATIVE, TO EXPUNGE CERTAIN PARTS THEREOF

TO THE HONORABLE, THE JUDGES OF SAID COURT:

George Edward Grammer, Appellant, by Joseph Sherbow, Theodore Sherbow, and Edward F. Shea, Jr., his attorneys, in answer to the Petition of the State of Maryland for remand of the record to the Criminal Court of Baltimore, or, in the alternative, to expunge certain parts thereof, respectfully says:

1. That on April 7, 1953 the Appellant filed an Appeal to this Honorable Court.
2. Following preliminary conversations with the office of the State's Attorney of Baltimore City, the Appellant's attorneys, on April 24, 1953 delivered to the office of the State's Attorney of Baltimore City a proposed Designation of Record for stipulation by counsel for the respective parties, in accordance with Rule 18 of the Rules and Regulations Respecting Appeals.
3. Thereafter, on several occasions, the Appellant's attorneys made inquiries at the office of the State's Attorney of Baltimore City as to their views on the proposed stipulation, and on each occasion, were informed that the State's Attorney of Baltimore City was engaged in discussions with the Attorney General of the State of Maryland regarding said stipulation. At no time were the Appellant's attorneys informed that the State of Maryland objected to any portions of the proposed Designation of Record.
4. On April 30, 1953 the Daily Record published Amendments to the Rules and Regulations Respecting Appeals, as filed by this

Honorable Court on April 23, 1953.

5. Rule 10 of the Rules Relating to Appeals Generally, as amended, supersedes old Rule 18, which provided for the Designation of Record.

6. The order of this Honorable Court of April 23, 1953, provided that the effective date of the amendments to the rules, was to be June 1, 1953, "except that in respect to appeals noted prior to that date, where no transcript of record has been heretofore forwarded to the Court of Appeals, the appellant may at his option request the clerk of the lower court to forward the original papers as provided in Rule 10."

7. In accordance with the aforesaid exception to Rule 10, the Appellant's attorneys, on May 7, 1953, filed with the Clerk of the Criminal Court of Baltimore City, a request to forward the original papers in this case to the Court of Appeals as the transcript of record.

8. Section 2 of Rule 10 Relating to Appeals Generally, as amended, provides that "the clerk of the lower court shall transmit to the clerk of this Court, unless otherwise ordered by the judge of the court from which the appeal is taken, all the original papers in the file dealing with the action or the proceeding appealed from." (Emphasis supplied)

9. Pursuant to this section, the Clerk of the Criminal Court of Baltimore City forwarded to this court "all the original papers in the file dealing with the action or the proceeding appealed from", which included all the matters objected to by the State of Maryland in Paragraph 4 of its Petition.

10. The Appellant therefore says that each and every paper objected to in Paragraph 4 of the Appellee's Petition was properly filed in the office of the Clerk of the Criminal Court of Baltimore City and is a proper part of the record in this case and was properly transmitted to this Court as part of

the original papers in this case as provided by the rules of this Court now in effect.

11. In the course of the trial below, the then attorney for the Appellant made the following statement in open court:

"I would like to proffer for the record as evidence in this case at this time all local publications of local newspapers for the legal reason that George Edward Grammer, the defendant on trial, has been interfered with and deprived of by these publications to a free choice of mind in selecting a fair and impartial trial by a jury, thus depriving him of his constitutional rights of trial by jury...I would like to also make several similar proffers. A similar proffer as I had made as to all local television and radio stations and also a similar proffer as to the September 15th issue of LIFE Magazine, which, I am informed, has about a 100,000 circulation in the City of Baltimore." (T. p. 10)

The Court below then directed the Clerk to rearraign the defendant, and following the re-arraignment, the State objected to the introduction of all the said proffered exhibits.(T.p.12)

Then, the court below said:

"The proffer is in the record. But this Court sees no reason to take any action on it." (T. p.13)

12. The Appellant respectfully submits that the Defendant's Exhibit No. 7 and each part thereof is properly a part of the record of this case, having been admitted by the Court below upon the proffer of the Appellant's trial attorney.

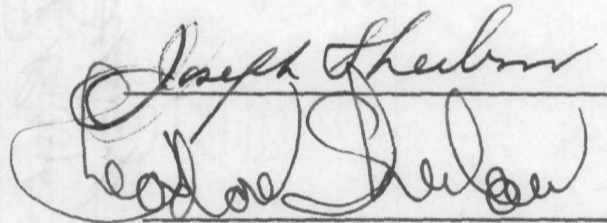
13. All of said papers were properly filed in this case and the motion ne recipiatur filed by the State's Attorney of Baltimore City relating to said exhibits was denied orally by Chief Judge Smith.

The following language from the dissenting opinion of Judges Niles and Byrnes as reported in the Daily Record of March 17, 1953 is in confirmation thereof:

"At the very beginning of the trial, counsel for Defendant made the point that he had been forced to waive a jury trial because of the public feeling engendered by the publicity over the case, and he proffered copies of newspapers, magazines and radio scripts. The Court gave him leave to introduce them thereafter. These have now been offered as Exhibit 7, and this Bench has received them. But they add nothing to what every judge and every citizen knew already."

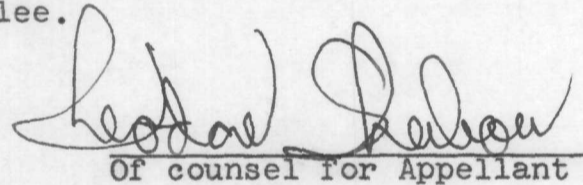
14. It has been the long continued practice in this state, under Rule 23 of Rules Relating to Appeals Generally, to include in the record on appeals in criminal cases the motion for new trial, the order denying a new trial, and any opinions delivered by the Court.

WHEREFORE, the Appellant respectfully prays that this Honorable Court deny the motion of the Appellee to remand the transcript of the record to the Criminal Court of Baltimore, or in the alternative, to expunge from the records the matters set out in Paragraph 4 of the Appellee's Petition.



Edward J. Shea, Jr.
Attorneys for Appellant

We hereby certify that we have mailed a copy of the within Answer to the Attorneys for Appellee.



Of counsel for Appellant

It has been the long continued practice in this state, under Rule 23 of Rules Relating to Appeals Generally, to include in the record on appeals in criminal cases the motion for new trial, the order denying a new trial, and any opinions delivered by the Court.

WHEREFORE, the Appellant respectfully prays that this

Honorable Court deny the motion of the Appellee to remand the transcript of the record to the Criminal Court of Baltimore, or in the alternative, to expunge from the records the matters set out in Paragraph 4 of the Appellee's Petition.

*Answer to Petition
to Remand Record
in Part thereof.*

Filed May 20 1953

No. 18 Oct 7 1953

Attorneys for Appellant

We hereby certify that we have mailed a copy of the within Answer to the Attorneys for Appellee.

[Signature]
Of Counsel for Appellant

May 20, 1953

Attorney General of Maryland
Attention of Ambrose T. Hartman, Esq.
Special Assistant Attorney General
Mathieson Building
Baltimore 2, Maryland

Dear Mr. Hartman:

Your Petition to Remand
the Record, etc., in the case of Grammer
vs. State, No. 18, October Term, 1953,
together with the Answer filed by counsel
for the appellant, has been considered by
the Court, and a Court Order has been filed,
copy of which is herewith enclosed.

Very truly yours,

JLY:av

Chief Deputy

encl.

cc: Anselm Sodaro, Esq.
Joseph Sherbow, Esq.
Clerk, Criminal Ct. of Balto.



THE STATE LAW DEPARTMENT
10 LIGHT STREET
BALTIMORE, MARYLAND

May 15, 1953

Mr. Maurice Ogle, Clerk
Court of Appeals of Maryland
Annapolis, Maryland

Re: Grammer v. State, No. 18, October Term, 1953

Dear Mr. Ogle:

I am enclosing herewith a Petition for Remand of the Record to the Criminal Court of Baltimore, or in the alternative, to Expunge Certain Parts Thereof, in the above entitled case.

You will note that a copy of this Petition has been mailed today to Joseph Sherbow, Esq., of counsel for the Appellant.

Very truly yours,

A. T. Hartman
Asst. Attorney General

ATH:LEL
Enclosure

GEORGE EDWARD GRAMMER, : IN THE
Appellant, : COURT OF APPEALS OF MARYLAND
v. :
STATE OF MARYLAND, : No. 18
Appellee. : October Term, 1953

PETITION FOR REMAND OF THE RECORD TO THE CRIMINAL COURT OF BALTIMORE,
OR, IN THE ALTERNATIVE, TO EXPUNGE CERTAIN PARTS THEREOF.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The State of Maryland, Appellee in the above entitled case, hereby prays that the record be remanded to the Criminal Court of Baltimore, or in the alternative, that certain parts be expunged therefrom, and in support thereof says:

(1) That the Appellant filed a designation of record with the Clerk of the Criminal Court of Baltimore on May 7, 1953.

(2) That on the same date that he filed the designation of record, the Appellant, in conformity with the revisions of the Rules Relating to Appeals Generally, adopted by this Court on April 23, 1953, requested the Clerk of the lower court to forward the original papers in the above entitled case to this Court, where they were received by the Clerk thereof on May 7, 1953.

(3) That said record as received by the Clerk of this Court is replete with matter which was not before the Criminal Court of Baltimore at the time of the trial of this case.

(4) That the matters are in the record in the form of exhibits which were not introduced in evidence in the lower Court, and matters pertaining to the overruling of a motion for a new trial, which is not reviewable, and are as follows:

(a) Defendant's Exhibit #7, copies of The Baltimore Sun, The Baltimore Evening Sun, The Baltimore News-Post, The Baltimore American.

(b) Defendant's Exhibit #7A, television broadcast, WMAR-TV, August 31, 1952, 10:45 P.M.

(c) Defendant's Exhibit #7B, television broadcast, WBAL-TV, September 2, 1952, 10:00 P.M.

(d) Defendant's Exhibit #7C, Analysis and Outline

(1) Baltimore News-Post
August 29, 1952 through
October 23, 1952

(2) Baltimore American
August 31, 1952 through
October 19, 1952

(e) Defendant's Exhibit #7D, Analysis
and Outline

The Evening Sun - August 28, 1952
through October 24, 1952

(f) Defendant's Exhibit #7E. Analysis and
Outline

The Morning Sun - August 28, 1952
through October 23, 1952

(g) Defendant's Exhibit #7F. Analysis
and Outline

Life Magazine, issue of September 15, 1952.

(h) Motion for New Trial filed on October
24, 1952.

(i) "Amplification of Fifth Reason of Motion
for a New Trial filed October 24, 1952" filed
on March 3, 1953.

(j) Motion Ne Recipiatur filed by the State
of Maryland.

(k) Order denying New Trial.

(l) Opinions of Chief Judge W. Conwell Smith,
and Judges S. Ralph Warnken and John T. Tucker.

(m) Dissenting Opinion of Judges Emory H.
Niles and Joseph R. Byrnes.

WHEREFORE, it is respectfully prayed that this Court
remand the transcript of the record to the Criminal Court of
Baltimore so that, in accordance with Rule 10, Section (4) of the
Rules Relating to Appeals Generally, adopted by this Court on
April 23, 1953, the lower court may determine whether the record
truly discloses what occurred at the trial of the above entitled
case; or, in the alternative, it is respectfully prayed that this
Court expunge from the record the matters above mentioned.

Edward D. E. Rollins
Attorney General

J. M. Harrow
Deputy Attorney General

Ambrose T. Hartman
Asst. Attorney General

Attorneys for Appellee

I hereby certify that copy of the within petition was mailed this 15 day of May, 1953, to Joseph Sherbow, Esq., Munsey Building, Baltimore, 2, Maryland, Attorney for Appellant.

Andrew T. Hartman
Asst. Attorney General

10
11
12
13
14

15
16
17
18
19
20

21
22
23
24
25

No. 18- OCT. 7. 1953

I hereby certify that copy of the within petition was
mailed this 15 day of May, 1953, to Joseph Sherbow, Esq.,
Mansey Building, Baltimore, S. Maryland, Attorney for Appellant.

Charles T. Watson
Asst. Attorney General

*Petition to Renew
Record or parts
thereof.*

Filed: May 16-1953

GEORGE EDWARD GRAMMER,

:

IN THE

Appellant

COURT OF APPEALS

vs

:

OF MARYLAND

STATE OF MARYLAND

No. 18

October Term, 1953

Appellee

:

: : : : : :

ORDER

It is ORDERED this 5th day of August, 1953, by the Court of Appeals of Maryland, that

1. The time for filing the Appellant's Brief be and it is hereby extended to August 6, 1953.

2. The Appellant's Brief may consist of not more than 75 printed pages, exclusive of Table of Contents and Table of Citations.

3. The time for filing the Joint Appendix be and it is hereby extended to August 10, 1953.

William E. Schreyer
Chief Judge

WES

IN THE COURT OF APPEALS OF MARYLAND
 No. 18
 October Term, 1953

GEORGE EDWARD GRAMMER, Appellant
 vs
 STATE OF MARYLAND, Appellee

No. 18 - Oct. T. 1953

Filed Aug. 6, 1953

Repleader's Brief
Report of Brief
James O. Alberici

ORDER

It is ORDERED that the day of August, 1953, by the Court of Appeals of Maryland that

1. The time for filing the Appellant's Brief be and it is hereby extended to August 6, 1953.
2. The Appellant's Brief may consist of not more than 75 printed pages, exclusive of Table of Contents and Table of Citations.
3. The time for filing the Joint Appendix be and it is hereby extended to August 10, 1953.

James C. ...
 Chief Judge

GEORGE EDWARD GRAMMER
Appellant

:

IN THE

vs

COURT OF APPEALS OF MARYLAND

STATE OF MARYLAND
Appellee

:

No. 18

October Term, 1953

: : : : : : : :

STIPULATION

It is hereby stipulated and agreed by and between counsel for the parties in the above entitled case, in accordance with the provisions of Section 4 of Rule No. 40 of the Rules of the Court of Appeals of Maryland, that the time for filing of the Appellant's ~~Brief~~ in this action be extended to and including August 5, 1953.

Joseph Shepley
Richard Debow

Edward F. Shepley
Attorneys for Appellant

Edward D. C. Rollins
Attorney General

A. T. Hartman
Asst. Attorney General
Attorneys for Appellee

9.24.10
[Handwritten initials]

No. 18 - Oct. 7, 1953

GEORGE EDWARD GRAMMER
Appellant

IN THE

vs

STATE OF MARYLAND
Appellee

COURT OF APPEALS OF MARYLAND

No. 18

October Term, 1953

STIPULATION

It is hereby stipulated and agreed by and between
counsel for the parties in the above entitled case, in accordance
with the provisions of Section 4 of Rule No. 40 of the Rules
of the Court of Appeals of Maryland, that the time for filing
of the Appellant's brief in this action be extended to and
including August 5, 1953.

[Handwritten signature]

[Handwritten signature]
[Handwritten signature]

[Handwritten signature]
Attorneys for Appellant

[Handwritten signature]
Attorney General

[Handwritten signature]
Asst. Attorney General
Attorneys for Appellee

[Handwritten note]
Filed July 15-1953

[Handwritten note]

SHERBOW & SHERBOW

ATTORNEYS AT LAW
1316 MUNSEY BUILDING
BALTIMORE 2, MD.

TELEPHONE
LEXINGTON 9-8118

JOSEPH SHERBOW
THEODORE SHERBOW
EDWARD F. SHEA, JR.

August 6, 1953

Maurice Ogle, Clerk
Court of Appeals of Maryland
Court of Appeals Building
Annapolis, Maryland

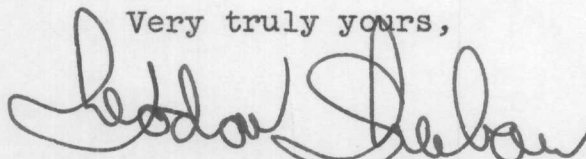
Re: Grammer vs State
No. 18, October Term 1953

Dear Mr. Ogle:

The Court of Appeals passed an Order on June 9, 1953 permitting the filing of 15 copies of an 88 page Analysis and Outline entitled "Defendant's Exhibits 7A through 7F", in lieu of printing the same in the joint appendix.

In accordance therewith, you will find enclosed in the package which you will receive from the Daily Record containing 40 copies of the printed appendix, 15 copies of said Exhibits.

Very truly yours,



THEODORE SHERBOW

TS:ce

*Received and filed
Aug. 8 - 1953
Did not acknowledge.*

September 15, 1953

Ambrose T. Hartman, Esquire
Assistant Attorney General
Mathieson Building
Baltimore, 2, Maryland

Dear Mr. Hartman;

This will advise you that Chief Judge Sobeloff has signed Petition of Appellee requesting permission to file a brief in excess of 50 pages, in the appeal of Brammer vs. State of Maryland, No. 18, October Term, 1953.

This brief is due in this office on September 24, 1953. For your information, it appears now as though this case will be in the assignment on Tuesday, October 13th.

Kind regards -

Very truly yours,

J
L:S
Y

Copy to Joseph Sherbow, Esquire

EDWARD D. E. ROLLINS
ATTORNEY GENERAL



J. EDGAR HARVEY
DEPUTY ATTORNEY GENERAL

THE STATE LAW DEPARTMENT
10 LIGHT STREET
BALTIMORE, MARYLAND

September 11, 1953

Mr. Maurice Ogle, Clerk
Court of Appeals of Maryland
Annapolis, Maryland

Re: Grammer v. State, No. 18, October Term, 1953

Dear Mr. Ogle:

Will you kindly present to the Court for its attention the enclosed Petition whereby Appellee requests permission to file a brief in excess of fifty pages in the above entitled case?

You will note that a copy of this Petition has been forwarded to counsel for Appellant.

Very truly yours,

A. T. Hartman

A. T. Hartman
Asst. Attorney General

ATH:LEL
Enclosure

GEORGE EDWARD GRAMMER, : IN THE
 Appellant, : COURT OF APPEALS OF MARYLAND
 v. :
 STATE OF MARYLAND, : No. 18
 Appellee. : October Term, 1953

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The State of Maryland, Appellee in the above entitled case, hereby prays that it be permitted to file a brief in excess of the fifty pages as limited by Section 5 of Rule 39 of the Rules of the Court of Appeals, and in support thereof says:

(1) That the transcript of the record in this case contains 1,359 pages and the Joint Appendix which has been filed contains 360 pages.

(2) That Appellant's brief, with permission of this Honorable Court, contains seventy pages.

(3) That in order to meet the issues presented, Appellee finds it necessary to file a brief in excess of fifty pages.

WHEREFORE, it is respectfully prayed that this Honorable Court pass an Order permitting Appellee to file a brief in excess of fifty pages but not exceeding ~~seventy five~~ ^{eighty-six} pages.

Edward D. C. Rollins
 Attorney General

A. T. Hunter
 Assistant Attorney General
 Attorneys for Appellee

I hereby certify that on this 11th day of September, 1953, a copy of the foregoing Petition was mailed to Joseph Sherbow, Esq., 1316 Munsey Building, Baltimore, 2, Maryland, of counsel for Appellant.

A. T. Hunter
 Assistant Attorney General

*Leave granted as prayed
 Simon & Scheler
 Sep 14/53*