

November 8, 1974

Warren K. Rich, Esquire  
Special Assistant Attorney General  
Tawes State Office Building  
580 Taylor Avenue  
Annapolis, Maryland 21401

Re: Department of Natural Resources et al. v. Mayor and  
Council of Ocean City et al.  
No. 64 - September Term, 1974

Dear Mr. Rich:

This is to advise that the Court has granted your request that three (3) counsel be allowed to argue for appellants in the above entitled case and that you will be allowed 45 minutes for the three counsel to argue.

Very truly yours,

Clerk

JHNjr/mjm

cc: Henry R. Lord, Esq.  
Hamilton P. Fox, Esq.  
Raymond S. Smethurst, Jr., Esq.  
Dale Cathell, Esq.  
Patrick L. Rogan, Esq.

No 64, 1974

FRANCIS B. BURCH  
ATTORNEY GENERAL



WARREN K. RICH  
SPECIAL ASSISTANT ATTORNEY GENERAL  
DEPARTMENT OF NATURAL RESOURCES  
TAWES STATE OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401

STATE OF MARYLAND  
STATE LAW DEPARTMENT  
AREA CODE 301-267-1251

October 31, 1974

**FILED**

NOV 4 1974

James H. Norris, Jr., Esquire  
Clerk, Court of Appeals of Maryland  
Courts of Appeal Building  
Annapolis, Maryland 21401

**James H. Norris, Jr., Clerk**  
Court of Appeals  
of Maryland

RE: Dept. of Natural Resources v.  
Linchester Sand & Gravel--No. 80  
Dept. of Natural Resources v.  
George B. Cropper, et al.--No. 172  
Dept. of Natural Resources, et al.  
v. Mayor & Council of Ocean City,  
et al.--No. 64

Dear Mr. Norris:

I appreciate your consideration in making certain that I would not have to argue three cases on one day during the designated December 3-9, 1974 period. In accordance with our telephone communication, you have assured me that I will not have to argue the Linchester Sand & Gravel case on the same day that the Cropper and Park (Mayor & Council of Ocean City) cases will be argued. In regard to those matters, I wish to advise you that Deputy Attorney General, Henry R. Lord, Hamilton Fox, Esquire and myself request the opportunity to argue the Park case and, for that reason, we would also request that the time limitation be enlarged to 45 minutes so that each advocate will have 15 minutes.

With regard to the Cropper case, Mr. Lord and myself will argue that matter, and we would request the full 30 minutes.

Thank you again for your consideration.

Yours very truly,

A handwritten signature in cursive script that reads "Warren K. Rich".

Warren K. Rich

WKR:alm

cc: Henry R. Lord, Esq.  
Hamilton Fox, Esq.  
R. Stephen Smethurst, Jr., Esq.  
Dale Cathell, Esq.  
Patrick L. Rogan, Esq.

*DE*

October 30, 1974

Patrick L. Rogan, Jr., Esq.  
Attorney at Law  
P. O. Box 258  
Salisbury, Maryland 21801

Re: Department of Natural Resources et al. v.  
Mayor and Council of Ocean City et al.  
No. 64 - September Term, 1974  
and  
Department of Natural Resources v. George  
Bert Cropper et al.  
No. 172 - September Term, 1974

Dear Mr. Rogan:

Replying to your request to the Court regarding time needed for argument, the above cases will be considered as separate cases for purpose of time allowed for oral argument. Therefore, you will be allowed thirty (30) minutes as appellee in No. 64 and the appellee in No. 172 also will have thirty (30) minutes.

Very truly yours,

James H. Norris, Jr.  
Clerk

JHNjr/h

*NO 64 + 172 - 1974 T*

*[Handwritten mark]*

RICHARDSON, ROGAN, ANDERSON & HELAND  
ATTORNEYS AT LAW  
POST OFFICE BOX 258 RICHARDSON BUILDING  
TELEPHONE 742-7105  
SALISBURY, MARYLAND 21801

VAUGHN E. RICHARDSON  
PATRICK L. ROGAN, JR.  
WALTER C. ANDERSON  
DON E. RICHARDSON  
KENNETH V. HELAND

October 11, 1974

FILED

OCT 15 1974

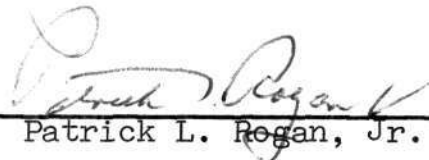
James H. Norris Jr., Clerk  
Court of Appeals  
of Maryland

Court of Appeals of Maryland  
Annapolis  
Maryland

Re: Department of Natural Resources, et al.  
v.  
Mayor & Council of Ocean City, et al.  
No. 64, Sept. Term 1974

To The Honorable The Judges of Said Court:

By Order of the Court of Appeals of Maryland dated October 9, 1974, in the case of Department of Natural Resources v. George Bert Cropper, No. 172, September Term 1974, said Court ordered that said case No. 172 and case No. 64 be scheduled for argument on the same day in December. If these cases are to be considered as one appeal it will be necessary that the time limit for oral argument by the appellees be increased to one hour. Such increase is necessary because this appeal involves substantial issues on the rights of the state, the public and owners of ocean front properties in Ocean City, Maryland. The issues argued will be prescription, dedication, the public trust doctrine, the doctrine of customary rights and the doctrine of submergence. Separate argument will be made on all of these issues for two separate parcels of land in Ocean City, Maryland.

  
Patrick L. Rogan, Jr.

PLR:dw

DEPARTMENT OF NATURAL RESOURCES,  
STATE OF MARYLAND et al.

v.

MAYOR AND COUNCIL OF OCEAN CITY,  
MARYLAND et al.

\* IN THE  
\* COURT OF APPEALS  
\* OF  
\* MARYLAND  
\* (No. 228 - September Term, 1974  
\* Court of Special Appeals)

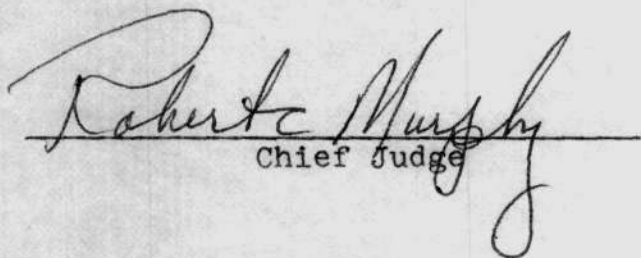
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ORDER

It is this 3<sup>rd</sup> day of June, 1974

ORDERED by the Court of Appeals of Maryland, on its own motion, that the writ of certiorari to the Court of Special Appeals shall issue in the above entitled case and said case shall be docketed on the regular docket as No. 64, September Term, 1974; and it is further

ORDERED that counsel shall file briefs and record extract in accordance with Rule 830, the appellants' brief and record extract to be filed on or before July 15, 1974.

  
Chief Judge

140. 07 .  
Sept. Term '74

DEPARTMENT OF NATURAL RESOURCES,  
STATE OF MARYLAND et al.

v.

MAYOR AND COUNCIL OF OCEAN CITY,  
MARYLAND et al.

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IN THE  
COURT OF APPEALS  
OF  
MARYLAND

(No. 228 - September Term, 1974  
Court of Special Appeals)

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WRIT OF CERTIORARI

TO THE JUDGES OF THE COURT OF SPECIAL APPEALS OF MARYLAND:

WHEREAS, The Department of Natural Resources, State of Maryland et al. v. Mayor and Council of Ocean City, Maryland et al., No. 228, September Term, 1974 is pending before your Court, and the Court of Appeals of Maryland is willing that the record and proceedings therein be certified to it.

YOU ARE HEREBY COMMANDED to cause them to be sent without delay to the Court of Appeals of Maryland, together with this writ, for the said Court to proceed thereon as justice may require.

WITNESS, the Chief Judge of the Court of Appeals of Maryland, this 3rd day of June, 1974.

/s/ James H. Norris, Jr.  
Chief Judge