



IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

PETITION OF SHIRLEY DUFRESNE and
J. STEVENS DUFRESNE

FOR JUDICIAL REVIEW OF THE DECISION
OF THE MONTGOMERY COUNTY
PLANNING BOARD

CASE NO. 288643-V

In the case of DUFRESNE PROPERTY Minor
Subdivision No.: 720060540

ORDER

THIS CASE having come before this Court as a judicial review of an administrative decision under Md. State Gov't Code Ann. § 10-222, this Court having reviewed the memoranda of the parties, filed herein at docket entries # 32 (Petitioner) and # 38 (Respondent), and having heard oral argument on August 14, 2008, and having taken the matter under advisement to review the applicable law and the administrative record, now finds that there is substantial evidence to reverse the decision of the Board and that the Board's proceedings and its decision were affected by error of law, it is this 18 day of December, 2008, in the Circuit Court for Montgomery County, Maryland

ORDERED and **ADJUDGED** that the Order of the Board dated October 4, 2007, is **REVERSED** under Md. State Gov't Code Ann. § 10-222(h)(2) and the Petition for Judicial Review is therefore **GRANTED**. The Clerk is ordered to enter this **ORDER** as the judgment in the case.

ENTERED

DEC 22 2008 *FW*

Clerk of the Circuit Court
Montgomery County, Md.


Eric M. Johnson
Judge, Sixth Judicial Circuit
Montgomery County, Maryland

ERIC M. JOHNSON
JUDGE