

Syllabus

MARYLAND *v.* BLAKE

CERTIORARI TO THE COURT OF APPEALS OF MARYLAND

No. 04–373. Argued November 1, 2005—Decided November 14, 2005

Certiorari dismissed. Reported below: 381 Md. 218, 849 A. 2d 410.

Kathryn Grill Graeff, Assistant Attorney General of Maryland, argued the cause for petitioner. With her on the briefs were *J. Joseph Curran, Jr.*, Attorney General, and *An-nabelle L. Lisic* and *Diane E. Keller*, Assistant Attorneys General.

James A. Feldman argued the cause for the United States as *amicus curiae* urging reversal. With him on the brief were *Solicitor General Clement*, *Acting Assistant Attorney General Richter*, *Deputy Solicitor General Dreeben*, *John P. Elwood*, and *Joel M. Gershowitz*.

Kenneth W. Ravenell argued the cause for respondent. With him on the brief were *Ivan J. Bates*, *Matthew A. S. Esworthy*, and *Jeffrey T. Green*.*

*Briefs of *amici curiae* urging reversal were filed for the State of Texas et al. by *Greg Abbott*, Attorney General of Texas, *Barry R. McBee*, First Assistant Attorney General, *R. Ted Cruz*, Solicitor General, *Don Clemmer*, Deputy Attorney General, and *Gena Bunn*, *Edward L. Marshall*, and *Fredericka Sargent*, Assistant Attorneys General, and by the Attorneys General for their respective jurisdictions as follows: *M. Jane Brady* of Delaware, *Robert J. Spagnoletti* of the District of Columbia, *Charles J. Crist, Jr.*, of Florida, *Mark J. Bennett* of Hawaii, *Lawrence G. Wasden* of Idaho, *Lisa Madigan* of Illinois, *Michael A. Cox* of Michigan, *Jim Petro* of Ohio, *W. A. Drew Edmondson* of Oklahoma, *Hardy Myers* of Oregon, *Thomas W. Corbett, Jr.*, of Pennsylvania, *Henry D. McMaster* of South Carolina, *Lawrence E. Long* of South Dakota, *Mark L. Shurtleff* of Utah, and *William Sorrell* of Vermont; and for the Criminal Justice Legal Foundation by *Kent S. Scheidegger* and *Charles L. Hobson*.

Briefs of *amici curiae* urging affirmance were filed for the National Association of Criminal Defense Lawyers by *James J. Tomkovicz* and *Joshua L. Dratel*; and for the National Legal Aid and Defender Association by *Steven B. Duke*.

Per Curiam

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

It is so ordered.