

STATE OF MARYLAND

VS

HELEN L. HOLTON

\* IN THE  
\*  
\* CIRCUIT COURT  
\*  
\* FOR  
\*  
\* BALTIMORE CITY  
\*  
\* Case No.: 109209024

.....  
**STATE'S RESPONSE TO DEFENDANT HOLTON'S MOTION FOR STAY**

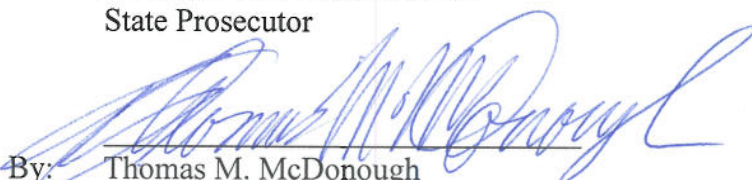
Now comes the State of Maryland by Robert A. Rohrbaugh, State Prosecutor, Thomas M. McDonough, Deputy State Prosecutor, Shelly S. Glenn, Senior Assistant State Prosecutor, and Tamara M. Gustave, Assistant State Prosecutor, and in response to Defendant Holton's Motion for Stay, says that:

1. The State strongly disagrees with the defendant's double jeopardy and due process analysis, as well as many of the other assertions in her motion.
2. The legal issue raised by the defendant concerning the jurisdiction of the Court is, however, one of first impression.
3. The defendant acknowledges that by seeking a stay she is waiving any right to complain that she has not received a speedy trial or a trial within the time limits required under *State v. Hicks*, 285 Md. 310 (1979) and Maryland Rule 4-271 in the event that the stay requested is granted.

**WHEREFORE**, for the foregoing reasons, the State has no objection to the requested stay of proceedings pending appeal.

Respectfully submitted,

ROBERT A. ROHRBAUGH  
State Prosecutor

By:   
Thomas M. McDonough  
Deputy State Prosecutor

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 3rd day of November, 2009 a copy of the foregoing **STATE'S RESPONSE TO DEFENDANT HOLTON'S MOTION FOR STAY** was mailed, postage prepaid, to attorneys for defendant:

Joshua R. Treem, Esq.  
Richard C.B. Woods, Esq.,  
Nicholas J. Vitek, Esq.  
Kate M. Bell, Esq.  
Schulman, Treem, Kaminkow and Gildea, P.A.  
Suite 1800, The World Trade Center  
401 East Pratt Street  
Baltimore, Maryland 21202

**I FURTHER CERTIFY** that I am more than eighteen (18) years of age.

