

STATE OF MARYLAND

v.

DARRIS ALARIC WARE

\* COURT OF APPEALS

\* OF MARYLAND

\* Misc. No. 50

\* September Term 2001

## ORDER

The Court having considered the State's application for leave to appeal from the grant of post conviction relief in a capital case, Darris Ware's application for leave to appeal, and the answers filed thereto, in the above-entitled case, it is this 22<sup>nd</sup> day of August, 2002,

ORDERED, by the Court of Appeals of Maryland, that both applications be, and they are hereby, DENIED, and it is further

ORDERED, that, as to the belated appeal ordered by the Circuit Court on a single issue of whether Darris Ware had received ineffective assistance of appellate counsel, consideration of that appeal is deferred pending the new sentencing proceeding, and the belated appeal will be considered with the appeal, if any, from the decision in the sentencing hearing.

/s/ Robert M. Bell

Chief Judge