

IN THE MATTER OF
THOMAS MCKNIGHT MARSHALL, JR.
1606 Frederick Road
BALTIMORE, MD 21228

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CBA-12-010

RE: DECISION OF
ANIMAL HEARING BOARD /#DD3667

* * * * *

RULING ON REQUEST/MOTION FOR RECONSIDERATION

This matter comes before the Board on a request for Reconsideration filed by Thomas McKnight Marshall, Jr. A response in opposition to the request for Reconsideration was filed by Ashley Hofmeister, Assistant County Attorney, on behalf of Baltimore County, Maryland.

This Board rules that a Motion for Reconsideration should only be necessary when there has been substantive new case law or enactment of a statute not available previously, which would clearly merit a modification of a Board's previous decision. This Board concludes that the Motion for Reconsideration does not point to any fraud, mistake or irregularity in the conduct of the hearing in this case, nor does the Board find there is any indication of the existence of new law or evidence not available at the time of the hearing.

In addition, no reason, explanation or grounds were presented to this Board in the written request for a reconsideration submitted by the Appellant.

Therefore, after a thorough review of the facts, testimony and law in this case, the Board has determined that the Request/Motion for Reconsideration filed by Thomas McKnight Marshall, Jr. for a hearing is hereby denied. The Board's Opinion and Order issued on September 7, 2011, remains this Board's final decision in this matter.

IT IS THEREFORE ORDERED THIS 28th day of September 2011 by the Board of Appeals of Baltimore County, that the Request/Motion for Reconsideration filed in Case No. CBA-12-010 is **DENIED**; and

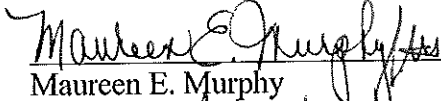
IT IS FURTHER ORDERED that the decision of the Animal Hearing Board, dated August 2, 2010, wherein the violation was **UPHELD** and a civil penalty was assed in the amount of \$500.00 and that the DOG "Zeke", currently impounded at the Baltimore County Animal Shelter, be euthanized, remains the Final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

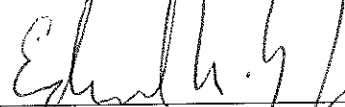
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Wendell H. Grier, Panel Chairman



Maureen E. Murphy



Edward W. Crizer, Jr.