

IN THE COURT OF APPEALS OF MARYLAND

No. 57

September Term, 1994

TERRENCE BROWN

v.

STATE OF MARYLAND

Murphy, C.J.
Eldridge
Rodowsky
Chasanow
Karwacki
Bell
Raker,

JJ.

Dissenting Opinion by Rodowsky, J.
in which Chasanow and
Raker, JJ., join

Filed: August 22, 1995

Rodowsky, J., dissenting.

I respectfully dissent. The jury in this case did not recommend mercy. The Court's opinion is an interesting, but irrelevant, discussion of a problem in the abstract. Because the verdict was unqualified the claimed error is harmless beyond a reasonable doubt.

Judges Chasanow and Raker have authorized me to state that they join in the views expressed herein.