IN THE SUPREME COURT OF THE STATE OF DELAWARE

MELVIN L. MORSE, Defendant-Below, Appellant, v. STATE OF DELAWARE, Plaintiff-Below, Appellee.	)))))))))))	No. 200, 2014 COURT BELOW: In The Superior Court of the State of Delaware, In and For Sussex County, I.D. 1208005897

APPELLANT'S REPLY BRIEF

JOSEPH A. HURLEY
1215 King Street
Wilmington, DE 19801
(302)658-8980
Bar I.D. 326

DATED: January 26, 2015

TABLE OF CONTENTS PAGE

TABLE OF STATUTES & OTHER AUTHORITIES	PAGE
D.R.E. 402	1
D.R.E. 403	1, 3
D.R.E. 404	1
MERRIAM-WEBSTER ON LINE	5
WEINSTEIN & BERGER, EVIDENCE §609-05 [3] [d]	6

I. THE ADMISSION OF THE TOTALITY OF OTHER BAD ACTS EVIDENCE, QUANTITATIVELY AND QUALITATIVELY, WAS AN ABUSE OF DISCRETION IN THAT THE NATURE AND BREADTH OF THE OTHER BAD ACTS INJECTED UNFAIR PREJUDICE INTO THE PROCEEDINGS IN VIOLATION OF D.R.E. 402, 403 AND 404 AS WELL AS CAUSING A VIOLATION OF DUE PROCESS OF LAW.

A. Scope and Standard of Review.

The defendant acknowledges a deficiency, in the Opening Brief, in not adequately noting that the Scope of Review for constitutional error (Due Process) is a review de novo. Wilkerson v. State, 953 A.2d 152, 156 (Del. 2008).

B. Merits of the Argument.

The Trial Judge recognized that the evidence permitted was "extremely prejudicial. It makes him a child molester... ". (TK-13; AR-90)[1] The Court reached the legal conclusion that the 404 acts in Morse "pales in comparison" to Trump, Caldwell and Phillips, post. (TK-14, 15; AR-91,92) The defendant responds au contraire. In Trump, a "plain error" analysis determined that simply permitting additional gratuitous, acts of similar sexual molestation, beyond that charge, did not justify reversal. The Trump 404 acts are benign compared to the Morse "campaign of terror" "404 acts". Trump v. State, 753 A.2d 963 (Del. 2000). In Caldwell v. State, 1996 WL

[1] "TK" refers to the transcript of the trial on February 13, 2014.

190792 (Del.Super.) the "404 acts" were digital vaginal penetration and attempted sexual relations introduced in the context of charges of Rape and with the entrée consisting of Caldwell saying, "How about if we finish what we did when you were little?". In Phillips v. State, 2004 WL 252186 (Del.Super.), the defendant was charged with homicide of a two-year-old who suffered head injuries and the "404 act" consisted of testimony that the defendant had previously thrown the child onto a bed causing the child to bump her head on the bed and the adjoining wall and which caused the appearance of a "little red mark". This Court will decide the accuracy of the Trial Court's conclusion of law vis-à-vis the prejudice potential found in those cases compared to the present case.

Likewise, the Court's legal conclusion in relying upon the holdings of Jenkins and Franklin (AR-14), as authority, in this case, for the action approved by the Court is questionable. The issue in Jenkins was the propriety of the out-of-court statement of a victim being permitted to be replayed in the jury room without any implications of "404" acts or 403. In Franklin, the "404 acts" consisted of evidence of a prior assault by the defendant against the victim seven years before, the fact that the defendant consumed alcohol and viewed pornographic movies – hardly a factual predicate supporting the explosion of toxic "404 acts" as found here.

The State seeks to legitimize the rulings with a multi-front argument based on (1) the materiality of the other bad acts (referred to as "404 acts"), (2) independent and logical relevance of the "404 acts", (3) the "404 acts" were inextricably intertwined, (4) effectiveness of the so-called curative instruction and (5) harmless error.

While one might expect the defendant to argue that none of the 404 material should have been permitted, such is not the case. "Effective advocacy need not be effective idiocy.".

It would be a form of sheer idiocy for counsel to argue, carte blanche, that none of the "404 acts" should have been admissible. The defendant testified that his conduct at the kitchen sink was not criminal thus motive and intention were both material and relevant. The defendant offers an analytical creation of two distinct categories when evaluating materiality of the "404 acts". The first consists of "404 acts" that were, arguably, material while nonetheless subject to a proper D.R.E. 403 ("403") review. (AR-1). Separately, "404 acts" have been categorized which reflect a complete absence of materiality and which conduct was pregnant with unfair prejudice. (AR-2, 3, 4, 5)

1. "404 ACTS" POSSESSED OF MATERIALITY.

The defendant concedes that the Court was acting within its discretion in admitting SOME, but not ALL of the "404 acts". In this regard, the defendant acknowledges qualitative admissibility, but disagrees with the quantitative admissibility that was permitted.

A key element to be considered in the "403" context is the "repetitious nature" of the events. Robertson v. State, 595 A.2d 1345 (Del. 1991) (citations omitted). Here, the Court permitted the admissibility of five separate "404 acts" and each of which was material. (See AR-1)

The defendant takes the position that unfair prejudice was realized by permitting all of the aforementioned incidents to become part of the evidentiary array. Most certainly, the necessity of using one of these acts can be justified as indicative of the intention of the defendant vis-à-vis the kitchen sink. It simply was not necessary to permit the State to introduce all of these incidents because, if believed, one act of placing a trash bag over her head, tightening it around her neck while trying to block her air flow, would have shed sufficient light on the defendant's motive and intent vis-à-vis the kitchen sink. Allowing the jury to hear a second episode and a third episode associated with urination and pretending death crossed the line from necessity to demonstrated unfair prejudice since it simply depicted the defendant as a person of murderous character disposition. Permitting

testimony regarding a fourth event of hand suffocation was tantamount to ignoring the DeShields factors in favor of throwing "fuel on the fire" of unfair prejudice. DeShields v. State, 706 A.2d 502 (Del. 1998). Specifically, the admissibility of one of the proffered 404 acts would have been sufficient to establish "probative force". Most certainly, permitting a second 404 act would have "sealed the deal" vis-à-vis the State's view of motive and intent thereby emasculating the probative force of events three, four and five. Furthermore, as each individual "404 act" of attempted suffocation was introduced, the "unfair prejudice quotient" rose precipitously and the "character disposition" index went "off the charts". Indeed, the probative force of each of the serial acts beyond one, or, at the most, two of the acts, diluted the probative value of each act while inflaming the beholders (the jury) with a cloud of the macabre[2] that hung over the head of the defendant.

The Court abused discretion in permitting introduction of the several hand-smothering acts. Materiality, among other things, is diminished by the cumulative nature of the evidence. Dickens v. State, 437 A.2d 159 (Del. 2008); DeShields v. State, supra. Additionally, one of the parameters

[2] According to Merriam-Webster On Line, synonyms include "grisly, morbid, ghastly, unearthly, grotesque, hideous, horrific, shocking, loathsome, repugnant and repulsive". By the time the "404 dirty laundry" had been revealed all of these epithets would have enveloped the visage of the defendant as he sat at counsel table.

necessarily considered is the similarity of the "404 acts" to the conduct subject to prosecution. The more similar the nature of the "404 acts", the greater is the likelihood of the creation of unfair prejudice. State v. Addison, 87 A.3d 1 (N.H. 2013); U.S. v. Kinchen, 729 F.3d 466 (C.A. 5, La. 2013); 4 Weinsteins & Berger, Evidence §609-05 [3][d].

The defendant contends that the defendant's constitutional right to Due Process of Law was violated with the introduction of all of the "404 acts" thus discussed since the Court action denigrated the "fundamental fairness essential to justice". Beltram v. Hastings, 2014 WL 1665727 (D.N.J.). The defendant urges the Court to reverse on this ground while applying a de novo review.

2. "404 ACTS" WHICH ARE NOT MATERIAL, NOT LOGICALLY RELATED TO MOTIVE OR INTENT, BUT OFFER A TREMENDOUS POTENTIAL FOR THE EXISTENCE OF UNFAIR PREJUDICE. (See AR-2, 3, 4, 5)

Heretofore, the defendant has conceded the materiality of some "404 acts" while objecting to the number of such acts permitted by the Court. In the present analysis, however, there is no such concession. The Trial Court permitted various and diverse acts of cruelty, brutality, inhumanity, meanness and all of which combined together to create an atmosphere of loathing of the defendant, that could not have avoided a juror, or

jurors, viewing the defendant as such a disgusting example of humanity that punishment was richly deserved because of what he was rather than what he did as charged. (AR-2, 3, 4, 5)

The list of conduct, noted above, does not pass through the materiality filter of Getz. Getz v. State, 538 A.2d 726 (Del. 1988). The occurrence of those acts did not make it more probable that the defendant's ultimate purpose was criminal in nature. These behaviors did not have a direct connection to the conduct under scrutiny, but, rather, it was a connection once removed. The only source of materiality that could be established lies in the following equation:

> "THE COMMISSION OF SADISTIC ACTS EQUALS A PERSON WITH A SADISTIC CHARACTER WHO IS MORE LIKELY TO COMMIT SADISTIC ACTS AS CHARGED IN THE INDICTMENT."[3]

The common denominator connecting all of the "404 acts" in AR-2-5 is the trait of cruelty. Consider whether or not, for example, the fact, if it were a fact, that the defendant had spanked the child with a broom makes it more likely that he intended to punish her, for all we know, years later by holding her face under a faucet in an effort to essentially drown her. The State was permitted to add "crumb" after "crumb" of "404 acts" that had no

[3] Characterized in well-known verbiage, the words that capture the prevailing thought process of a juror would be found in the words, "You can't teach an old dog new tricks", "A leopard cannot change its spots", "A tiger cannot change it stripes", "A zebra cannot change its stripes".

direct bearing on his motive or intentions as he stood at the kitchen sink, but had a very direct bearing on his character as a human being and his capabilities for evil reflected in that character. The "doomsday" evidence was, without doubt, St.'s Exh. 52. The potential for creating an instant hatred against the defendant and all he stands for could have been, no, would have been, unleashed as was the atomic bomb on Hiroshima considering the toll that it took on the defendant's chances of receiving a fair trial unaffected and unmolested by emotional responses. The prosecutor used the elmo, ever so adroitly, by "posting" the photograph on the wall in full view of the jury for minutes allowing the full impact of its degradation of a helpless, vulnerable and innocent child to be realized and absorbed indelibly.

The State proffers the spurious rationale of admissibility based upon the doctrine of "inextricably intertwined" evidence. In fact, the Court so found. (AR- 13) The doctrine, articulated in Pope v. State, 632 A.2d 73 (Del. 1993) permits the introduction of evidence, which would otherwise be prohibited, if there would be a "chronological and conceptual void" which would likely result in "significant confusion", but for the introduction of the evidence. Would the absence of the photograph displaying the signage "Shame" or the photograph of the child offering the obscene gesture have caused a "chronological and conceptual void"?

Next, the State resorts to the "Harmless Error Doctrine", but has the task of convincing the Court that the strength of the State's case, sans "404 acts", would cause this Court to determine "beyond a reasonable doubt that the jury would have returned a verdict of guilty". U.S. . Hastings, 103 Sup.Ct. 1974 (1983). The analysis requires this Court to determine whether there was "independent and overwhelming evidence of the defendant's guilt" in the absence of the contaminating evidence as urged by the defense. State v. Terc, 2014 WL 1281481 (N.J.Super.).

Anna Morse was an admitted perjurer, many times over, offered differing versions of events that were totally contradictory of each other and sought to explain away many of the differences by offering excuses bordering on incredibility. A review of pages 15 - 18 underscores the "impossible dream" realized by the State without the "404 acts".

The State urges this Court to overlook all that has been presented because, after all, "a curative instruction was given"! The defendant offers the "meat and bones" of the curative instruction. (AR-6, 7, 8)

Ordinarily, instructions are "presumed" to cure trial errors. Copper v. State, 85 A.3d 689 (Del. 2014). [The same case requires "jury impartiality" to be preserved in order to safeguard the "integrity of the judicial process" as well as indicating the closeness of a case as a salient factor.] State v.

Marshall, 2014 WL 5387442 (Ohio App.). Was there a reasonable expectation that the instruction could "clear the deck" of unfair prejudice? In United States v. Morena, 547 F.3d 191, 197 (C.A. 3, Pa. 2008), and while noting the prosecutors will offer evidence bearing some materiality while realizing, full well, that the evidence impugns the defendant's character, determined that the "404 acts" before it were not cured by an instruction and which acts were "vanilla" compared to the acts before this Court. The Morena Court cited the familiar proposition, "[a] drop of ink cannot be removed from a glass of milk".

In Robinson v. State, 2013 WL 5782929 (Del.), this Court noted that a curative instruction "... will [not] always vitiate all possibility of prejudice in every case.". Similar recognition of the limitations of curative instructions were noted in Robertson, supra; Kornbluth v. State, 580 A.2d 556 (Del. 1990); Bridges v. State, 706 A.2d 489 (Del. 1998); Oliver v. State, 60 A.3d 1093 (Del. 2013); Allen v. State, 644 A.2d 982 (Del. 1994). Also see State v. Thompson, 45 A.3d 605 (Conn. 2012).

Candid to the bone were the words of the Minnesota Supreme Court in State v. Caldwell, 322 N.W. 2d 574 (1982): "... the naïve assumption that prejudicial effects can be overcome by instructions to the jury... all practicing lawyers know to be unmitigated fiction. (citation omitted)".

Curative instructions do not result in "an automatic cure". Mercer v. Vanderbilt University, Inc., 2002 WL 31728864 (Tenn. Ct. App.). Curative instructions do not always "eradicate the prejudice". Bernstein v. Sephora, Div. of DFS Group, L.P., 182 F.Supp. 2d 1214 (2002); a curative instruction "does not always eradicate a Due Process violation". People v. Dennis, 628 N.W. 2d 502 (Mich. 2001).

Since it is practically impossible to find a case that rivals the degree of inhumanity suggested in the conduct perpetrated upon a helpless and vulnerable child, in the various and different dimensions portrayed in the Court below, this Court will decide whether or not any juror possessed of ordinary emotions of parental protectiveness could stave off the development of an infectious, viral, prejudice, affecting the factual determination, when considering the "trail of torture" and St.'s Exh. 52; i.e. the personification of evil!!!

II. THE DECISION OF THE TRIAL COURT TO PERMIT THE JURY TO RE-HEAR THE OUT-OF-COURT, VIDEOTAPE INTERVIEWS OF ANNA MORSE AND MELODY MORSE, WAS ERRONEOUS ON BOTH EVIDENTIARY AND CONSTITUTIONAL GROUNDS.

A. Merits of the Argument.

1. ABUSE OF DISCRETION OF RULES OF EVIDENCE.

The videotape replay provided undue emphasis to a critical State witness's testimony and the replay was an abuse of the Court's discretion.

As previously noted, because of the nature of videotape technology, replaying a videotape during the course of jury deliberations is the functional equivalent of permitting a witness to testify an additional time. State v. A.R., (App.Op.Br. 19, 23). The more frequently that evidence is presented, the greater is the danger of undue emphasis. Chambers v. State, 726 P.2d 1269, 1276 (Wyo. 1986); State v. Harris, 808 P.2d 453 (Mont. 1991). The situation of undue emphasis is exacerbated when there has been a delay between the exposition of other evidence and the redux of a particular witness's testimony through videotape replay. Burkhart v. Commonwealth, 125 S.W.3d 848 (Ky. 2003). "[T]here is concern that jurors may accord greater weight to testimony re-examined during deliberations, as compared to the 'live' evidence heard at trial, because the unreviewed testimony 'can only be conjured up by memory'. The more critical the nature of the

replayed testimony, the greater is the potential for prejudice and unfairness." State v. Mayes, 825 P.2d 1196 (Mont. 1992).

The collision between memory and temporality was prophetically captured by the words of, all people, THE PROSECUTOR:

> "The children's testimony in the case was certainly central to the case. Certainly, Anna's testimony is central to the case, and she testified sometime ago; that the tape was played for them, but it was played sometime ago (sic). It's been a lengthy trial. There's been a lot of evidence since then." (Emphasis supplied) (TK-11; AR-89)

The State is correct that it was a lengthy trial and that Anna Morse's testimony was presented "sometime ago" and that there was a "lot of evidence" since that time thus encumbering the memorial capacity of the jury. A reasonable person would think, "Thank you, Ms. Prosecutor, for offering a concise and cogent explanation of the dynamics that affected the jury's ability to recall all of the important factors needed to be recalled.". Anna Morse was mightily impeached in her cross-examination. The witnesses, Will and Sneller, directly contradicted the child's testimony. When, however, the videotape was played, and the child was presented "live and in living color", the faded recollections of important details, much like the sands of time, slipped away. See State v. Miller, 13 A.3d 873 (N.J. 2011); see AR-9, AR-10 - still photographs of the child as she related the water-boarding episode.

2. DENIAL OF CONSTITUTIONAL RIGHTS OF DUE PROCESS AND CONFRONTATION.

Videotape replay, during deliberations, is permissible if it includes cross-examination. State v. D.S., Sr., 2010 WL 2009002 (N.J. Ct. App. 2010; Mullins v. State, 78 So.3d 704 (Fla. Ct. App. 2012; Young v. State, 645 So.2d 965, 967 (Fla. 1994); U.S. v. Richard, 504 F.3d 1109 (C.A.9, Nev. 2007); State v. Miller, supra.

"Belated cross-examination is not cross-examination at all because the passage of time destroys the defendant's opportunity to subject the [out-of-court] statement to an immediate challenge to determine truthfulness and credibility." State v. Apilando, 900 P.2d 135 (Hi. 1995). In order for cross-examination to be considered constitutionally effective, "Its strokes fall while the iron is hot.". (citation omitted). Id., recognizing that unknown and unmeasurable recollective powers of a jury, particularly after an extended delay since cross-examination, does not act as a substitute for the contemp-aneity of credibility challenges. See Herring v. New York, 422 U.S. 853 (1975), where the Court noted a two day delay in a three-day trial and which may well have dimmed the judge's memory while acting as a fact-finder.

The defendant maintains that the version offered by the child in the CAC videotape would have been substantially devalued had the jury had

available, at that time, the points of impeachment that had been displayed over 200 hours earlier in the trial:

1. Admitted lying in January, 2010, CAC interview. (TE-26, 27; AR- 45, 46)[4]

2. Admission committing perjury in October, 2013 Hearing. (TE-27; AR-46)

3. Admitted lying in CAC interview in May of 2010. (Ct. Exh. 8; TE-27, 28; AR-46, 47)

4. Admitted lying to teacher regarding defendant. (TE-38, 41, 42, 43, 44; AR-50-54)

5. Admitted lying to DFS regarding Cody Morse. (TE-46, 47; AR-55, 56

6. Admitted lying to police regarding telephone contact with defendant. (TE-109; AR-69a)

7. Admitted lying with regard to discussing case with Melody. (TE-106; AR-69)

8. Admitted perjury in October Hearing regarding January, 2010 CAC interview. (TE-27; AR-46)

9. Admitted lying to foster mother regarding telephone contact with defendant. (TE-109, 110; AR-69a, 70)

10. Sworn testimony contradicted by witness Cheri Will when the child indicated no one asked her what had happened to her causing her to be seen at Beebe. (St.'s Ex.6) (TC[5]-65-68; AR- 15-18)

In addition to admitted perjury and deception, powerful impeachment

[4] "TE" refers to the transcript of the trial on February 4, 2014.
[5] "TC" refers to the transcript of the trial on January 30, 2014.

evolved from inconsistent versions of events:

1. In the CAC interview when asked about other times when her breathing was interrupted, she indicated "asthma" and did not indicate any other device used. At trial, she remembered a plastic garbage bag that she claimed she had forgotten when questioned earlier. (St.'s Exh. 6; TD[6]-86; AR-26; TE-121, 122; AR-74,75)

2. When confronted with conflicting versions of whether she had told her therapist that the defendant had slapped her face, and after denying she had, but when forced to admit it, indicated "Ashley's beliefs were in my head." [referring to her stepsister, Ashley.] (TE-36, 37, 38; AR-48-50)

3. The child testified, under oath, that she missed her stepsister, Ashley, in the face of her admission that, according to her, Ashley had (1) locked the child in the child's bedroom with Ashley, (2) penetrated the child's vagina with her (Ashley's) fingers, (3) held the child tightly so that she could not breathe, (4) choked the family dog, (5) held the child by her ankle while standing on the second floor landing causing the child to "dangle" while threatening to drop her, (6) lacerated the child with a knife when the child was asleep, (7) punched the child causing her pain, (8) pinched the child underneath her arm, (9) told the child that she, Ashley, wanted to kill her and (10) attempted to push the child down the steps from the second floor to the first floor. (TE-51, 52; AR- 57, 58)

4. The child gave contradictory statements regarding whether or not she told Pauline Morse about the water-boarding. (TE-66- 68; AR-62a, 62b, 63); only the defendant pinched her underarm (St's.Exh.6; TE-52-AR-58); being slapped in face after dinner once or twice a week. (St.'s.Exh.6; TE-54-AR-59)

5. The child gave contradictory statements regarding whether or not she told her teacher about water-boarding. (TE-61, 63, 68; AR-61-63) The child gave contradictory statements whether or not she had told any of her friends, all of her friends or none of her

[6] "TD" refers to the transcript of the trial on February 3, 2014.

friends and which ended up being "one friend". (St.'s Exh. 6) (TD-84; AR-24; TE-59, 69-70, 84; AR-60,64,65,68; TH[7]-6;AR-88)

6. On March 12, 2009, when asked by DFS personnel the type of punishment she received, she indicated that the punishments consisted of standing in the corner, timeout, spanking with a hand and spanking with a shoe. At trial, a very different version emerged. (TE-71, 72; AR-66, 67 ; AR-2-5)

7. The child indicated, during one interview, the defendant said nothing during the water-boarding and at trial indicated that he would scream out "die", but, of course, when asked to explain the discrepancy indicated that she had "forgotten". (St.'s Exh. 6)(TE-118, 119, 120; AR-71-72-

8. In the interview, she described the defendant's actions as holding her off the floor, against the wall, and letting her drop to the floor. By trial, the event had become one where she stood against a wall for hours at a time with her head positioned against the wall to provide her with body support. (St.'s Eh. 6; TD-90, 91; AR-31,32)

The final illustration of impeachment value denied the defendant by the process allowed by the Court is found in the remarkable coincidence which approaches the "miraculous" as testified to by the child. Specifically, independently of one another, and without the knowledge of each other, both the defendant and Ashley, at different times had engaged in the following behaviors with the child:

1. Confined her to her room. (TE-51; AR-57
2. Punched the back of her chest (her back). (TE-51; AR-57)
3. Interrupted her breathing. (TE-51, 52; AR-57)
4. Held her by her ankle while dangling her from the second floor over the railing in the house. (TE-52; AR-58)

[7] "TH" refers to the transcript of the trial on February 10, 2014.

5. Pinching under the child's arm. (TE-52; AR-58)

Not only was the Sixth Amendment right to a fair trial compromised, but Due Process was implicated as well. The defendant was entitled to "fundamental fairness". Herring v. New York, supra. It was "fundamentally unfair to allow the jury to view the videotape, out of the context of cross-examination, with the interviewer repeating, reinforcing and suggesting the answers throughout the 43-minute portrayal with the first 12 minutes "showcasing" Anna Morse as a delightful, innocent, naïve and vulnerable little girl, a veritable, delightful ingénue. (St.'s Exh. 6); a page of interviewer.

The defendant notes very telling language found in Snyder v. Massachusetts, 291 U.S. 97, 116-177 (1994):

> "... the proceedings shall be fair, but fairness is relative, not an absolute concept... What is fair in one set of circumstances may be act of tyranny in others."

Yes, the defendant maintains that the tidal waves of repeated disconnected acts of cruelty, inhumanity and torture that were highlighted amounted to an act of "tyranny" in depriving him of fundamental fairness.

In Hoskins v. State, 2014 WL 4722716 (Del.), this Court endorsed the continued vitality of what is known as the Doctrine of "Cumulative Error" in

the context of determining whether or not a defendant had been denied his right to a fair trial. Here the stagnant air reeks of cumulative error.

The Court has before it what counsel suggests is the "Poster Child" case reflecting a magical fantasy that memory and emotions are under command control of a Trial Judge when an instruction is offered as the palliative that cures all prejudice. Sadly, such is not the case!

III. PROSECUTORIAL MISCONDUCT RAISING A FAIR PROBABILITY OF PREJUDICE REQUIRES REVERSAL.

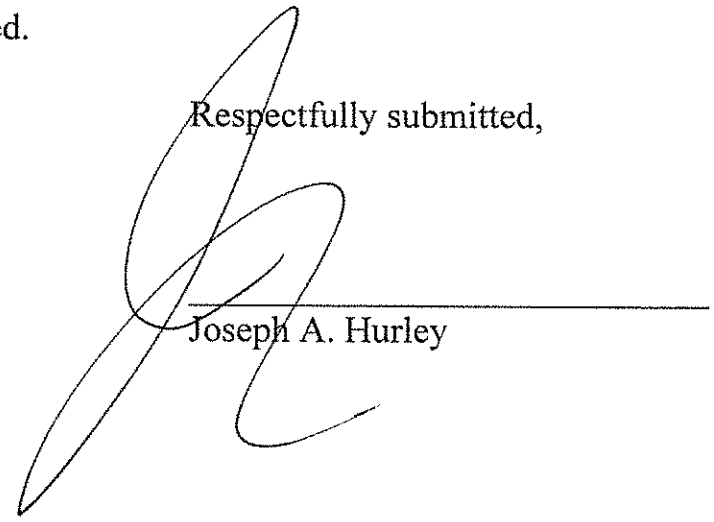
A. Merits of the Argument.

The defendant withdraws the issue as a matter for the Court's consideration after reevaluating and concludes that the claim is "devoid of merit".

CONCLUSION

For any or all of the reasons advanced, the defendant requests that the decision below be reversed.

Respectfully submitted,



Joseph A. Hurley