

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

THE STATE OF MARYLAND, et al.,  
Defendants.

Civil No.  
1:05-cv-01772-JY

SECOND MODIFIED  
ORDER OF CONDITIONAL  
DISMISSAL


Plaintiff, the United States of America, and Defendants, the State of Maryland, et al., have determined that the interests of all concerned parties can best be served by extending the duration of certain provisions of the Amended Settlement Agreement at the Baltimore City Juvenile Justice Center, a facility operated by the Maryland Department of Juvenile Services, and by eliminating those provisions of the agreement applicable to the Charles H. Hickey, Jr. School ("Hickey") and the Cheltenham Youth Facility ("CYF"). The parties have also determined that because compliance with the Amended Settlement Agreement has been achieved at Hickey and Cheltenham, the facility superintendents of these facilities should be dismissed as parties from the First Amended Complaint. In recognition of these interests and to avoid adversarial litigation, the parties have entered into a Second Amended Settlement Agreement, attached

to their Joint Motion to Amend the Modified Order of Conditional Dismissal, to settle this matter and have moved this Court to amend its Modified Order of Conditional Dismissal.

Having reviewed the Joint Motion and for good cause shown;

IT IS HEREBY ORDERED that this case shall be placed on this Court's inactive docket; this case shall be dismissed on June 29, 2009 or earlier if the State reaches substantial compliance with the terms of the Second Amended Settlement Agreement; this Court will retain jurisdiction over the case until either June 29, 2009 or such earlier time as the State achieves substantial compliance with the terms of the Second Amended Settlement Agreement; and the superintendents of Hickey and CYP shall immediately be dismissed as parties.

DATED this *26<sup>th</sup>* day of *June*, 2008.

  
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J. Frederick Motz  
United States District Judge