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SUPREME COURT OF MARYLAND

Attorney Grievance Commission of Maryland v. David B. Mintz, AG No. 21, September Term 2024, filed October 24, 2025. Opinion by Booth, J.

https://www.mdcourts.gov/data/opinions/coa/2025/21a24ag.pdf

ATTORNEY DISCIPLINE – SANCTIONS – DISBARMENT

Facts:

The Attorney Grievance Commission of Maryland ("Commission"), acting through Bar Counsel, filed a Petition for Disciplinary or Remedial Action ("Petition") against David B. Mintz, a member of the Maryland Bar, in connection to his representation of 14 clients in matters arising in the United States Bankruptcy Court for the District of Maryland, as well as his personal bankruptcy filings and his failure to pay state and federal taxes. The Commission alleged that Mr. Mintz violated Maryland Attorneys' Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4(a) and (b) (communication), 1.5(a) (fees), 1.6 (diligence), 1.16(a) (declining or terminating representation), 3.2 (expediting litigation), 3.4(c) (fairness to opposing party and attorney), 8.1(b) (bar admission and disciplinary matters), and 8.4(a), (c), and (d) (misconduct).

After Bar Counsel filed public charges, Mr. Mintz was served with the Petition, interrogatories, and a request for production of documents. He did not file an answer and did not respond to Bar Counsel's discovery requests. Bar Counsel moved for an order of default, which the hearing judge granted. Mr. Mintz then failed to appear at the scheduling hearing, pre-trial conference, and trial. The hearing judge deemed admitted the averments in the Petition and admitted into evidence Bar Counsel's exhibits, which consisted of its First Request for Admission of Facts and Genuineness of Documents, and the documents that were attached thereto.

The hearing judge made findings as to the 14 clients named in this case, including Mr. Mintz's repeated failure to supplement bare bones filings in Bankruptcy Court, failure to communicate with the clients, failure to respond to motions and stays, and failure to appear at hearings. In all of the client matters discussed in this case, the hearing judge found that Mr. Mintz had failed to inform the client that he was no longer able to continue his representation. The hearing judge also found that Mr. Mintz ignored court orders on several occasions, resulting in Mr. Mintz being found in contempt. Mr. Mintz also failed to disgorge fees to several clients as ordered by the court. In addition, the hearing judge found that Mr. Mintz owed both State and federal taxes and that Mr. Mintz had not filed his tax returns since 2009. The hearing judge also found that Mr.

Mintz had filed successive bankruptcy petitions on his own behalf and on behalf of his wife with respect to his personal residence and was twice banned in Bankruptcy Court from filing any other matters due to his repeated failures to respond and to supplement his petitions with required documentation.

Two of Mr. Mintz's clients filed complaints with Bar Counsel, prompting investigation. Bar Counsel also received a complaint from the Chief Deputy Clerk of the United States District Court for the District of Maryland that detailed numerous cases before the Bankruptcy Court in which Mr. Mintz failed to adequately represent his clients. In response to the client complaints and the complaint from the Chief Deputy Clerk, Bar Counsel sent Mr. Mintz letters requesting his response, as well as subpoenas on various occasions to appear for a statement under oath. After being personally served, Mr. Mintz appeared for two statements under oath. Despite renewed requests from Bar Counsel during the statements for documents and client files, Mr. Mintz never produced any documentation.

The hearing judge concluded that Mr. Mintz committed the violations alleged by the Commission identified above. The hearing judge found that Bar Counsel had proven eight aggravating factors: (1) a pattern of misconduct; (2) multiple offenses; (3) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency; (4) substantial experience in the practice of law; (5) refusal to acknowledge the wrongful nature of the misconduct; (6) victim's vulnerability; (7) indifference to making restitution or rectifying the misconduct's consequences; and (8) likelihood of repetition. The hearing judge found one mitigating factor, namely the absence of a prior disciplinary record.

Held: Disbarred.

Neither Mr. Mintz nor Bar Counsel filed exceptions, and Mr. Mintz did not participate in the proceedings before the Court. The Court entered a per curiam order disbarring Mr. Mintz and followed up with a written opinion.

The Court accepted the hearing judge's findings of fact as established. With respect to the conclusions of law, the Court concluded that there was clear and convincing evidence to support the hearing judge's conclusions that Mr. Mintz's conduct violated each of the rules as alleged. The Court further determined that Mr. Mintz had been completely indifferent to the duty he owed to his clients, to the Bankruptcy Court, and to the legal profession. Mr. Mintz both neglected his clients and failed to communicate with them, all of whom were in the vulnerable and stressful process of filing for bankruptcy. Mr. Mintz's wholesale abandonment of his clients and his flagrant disregard for court orders harmed his clients and eroded basic public confidence in the legal system and the rule of law. In addition, Mr. Mintz continually failed to fully respond and participate in Bar Counsel's investigation. Based upon Mr. Mintz's underlying conduct and the determination that numerous aggravating factors existed, the Court concluded that disbarment was the appropriate sanction.

Diandre Goodrich v. State of Maryland, No. 8, September Term 2025, filed October 24, 2025. Opinion by Watts, J.

https://mdcourts.gov/data/opinions/coa/2025/8a25.pdf

SIXTH AMENDMENT – ARTICLE 21 OF MARYLAND DECLARATION OF RIGHTS – MARYLAND RULE 4-215(e) – RIGHT TO COUNSEL – RIGHT TO SELF-REPRESENTATION – REQUEST TO DISCHARGE COUNSEL – INQUIRY

Facts:

In the Circuit Court for Montgomery County, Diandre Goodrich, Petitioner, was charged with attempted first-degree murder and related offenses. Prior to trial, the parties filed a joint motion to continue the trial date. The defense request for postponement was based on Mr. Goodrich's counsel's resignation from the Office of the Public Defender and the case not yet being reassigned to another member of the office. The State, Respondent, requested a postponement because, in light of Mr. Goodrich's counsel's resignation, the prosecutor assigned to handle the case had not issued required subpoenas to out-of-state witnesses and, after reviewing discovery, believed that the trial would last longer than the four days for which it had been set. During a status hearing at which the joint motion was before the trial judge, Mr. Goodrich was represented by newly assigned counsel who advised the court that Mr. Goodrich was saying he wanted to represent himself and keep the already scheduled trial date. The trial judge referred the matter to the administrative judge.

The administrative judge informed Mr. Goodrich of his attorney's statement regarding him wanting to represent himself and told Mr. Goodrich that he would be happy to hear from him. In response, Mr. Goodrich advised that he did not want to have the case postponed and that he wanted an attorney. Mr. Goodrich stated: "I'm ready to prove my case, and I do -- I would like an attorney, but I don't want to waive my speedy trial right. I need my day in court, sir." The administrative judge advised Mr. Goodrich that his speedy trial right was not being waived. After that, Mr. Goodrich did not make a request to discharge counsel or to represent himself nor did Mr. Goodrich indicate that he had asked his attorney to convey such a request to the court. Mr. Goodrich explained, among other things, that he was incarcerated and did not want his trial date pushed back. Mr. Goodrich stated: "I'm willing to risk whatever it takes if I can just keep my trial date where it's at. It's killing me to be in jail for something that I didn't do." After hearing from Mr. Goodrich, the administrative judge postponed the trial date and did not make a ruling under Maryland Rule 4-215(e), which requires that the defendant have made a request to discharge counsel.

After a trial by jury at which he was represented by counsel, Mr. Goodrich was found guilty of attempted second-degree murder, armed robbery, and use of a firearm in the commission of a felony or crime of violence and sentenced to imprisonment. In an unreported opinion issued on December 5, 2024, the Appellate Court of Maryland affirmed the conviction. See *Goodrich v.*

State, No. 1050, Sep. Term, 2023, 2024 WL 4986198, at *1 (Md. App. Ct. Dec. 5, 2024). Mr. Goodrich filed a petition for a writ of *certiorari*, which the Supreme Court of Maryland granted. *See Goodrich v. State*, 490 Md. 120, 333 A.3d 570 (2025).

Held: Affirmed.

The Supreme Court of Maryland held that where a trial court has been advised that a defendant who is represented by counsel desires self-representation, the court is required under *Snead v. State*, 286 Md. 122, 406 A.2d 98 (1979), to conduct an inquiry to determine whether the defendant truly wants to assert the right to self-representation, i.e., whether the defendant clearly and unequivocally asserts the right to self-representation, and under Maryland Rule 4-215(e), must permit the defendant to explain the reasons for the request to discharge counsel.

The Supreme Court of Maryland held that where, in response to a reasonable inquiry by the court, the defendant does not express a desire that the court could reasonably conclude is a request for self-representation or to discharge counsel, the court does not have an obligation under case law or Maryland Rule 4-215(e) to question the defendant further to determine whether the defendant wants to invoke the right to self-representation.

The Supreme Court of Maryland concluded that, under the circumstances of case, where the circuit court advised Mr. Goodrich that it had been informed that Mr. Goodrich desired self-representation and conducted a reasonable inquiry giving Mr. Goodrich an opportunity to assert the right to self-representation and Mr. Goodrich responded that he would like an attorney and did not express a desire that the court could reasonably conclude was a desire for self-representation or to discharge counsel, the court's inquiry complied with case law governing assertion of the right to self-representation and Maryland Rule 4-215(e) and the court was not required to question Mr. Goodrich further.

The Supreme Court of Maryland stated that its holding stemmed from United States Supreme Court's holding in *Faretta v. California*, 422 U.S. 806 (1975), that, "[w]hen the defendant [] indicates a desire to defend Pro se, the court must, by appropriate inquiry, determine whether he 'truly wants to do so[,]'" *Snead v. State*, 286 Md. 122, 127-28, 406 A.2d 98, 101 (1979) (quoting *Faretta,* 422 U.S. at 817), and its holding in *Snead*, *id*. at 128-30, 406 A.2d at 101-02, in which the Court adopted a two-part test, incorporating an earlier version of Maryland Rule 4-215(e), for determining compliance with the constitutional right to self-representation, under which a court must ascertain that a defendant clearly and unequivocally invoked the right to self-representation and if the right is clearly and unambiguously invoked, the court must determine whether there is a knowing and voluntary waiver of the right to counsel.

The Supreme Court of Maryland stated that, in particular, its holding was based on the well-established principle, set forth first in Maryland case law in *Snead*, *id*. at 127, 406 A.2d at 101, that a statement by a defendant or defendant's counsel from which it can reasonably be concluded that the defendant has expressed a desire for self-representation triggers an inquiry of the defendant to determine if the defendant truly wants to exercise the right. The conclusion the Court reached was also consistent with the mandates of the three-step process set forth in the plain language of Maryland Rule 4-215(e), as well as case law interpreting the Rule, which provides that if a defendant requests permission to discharge an attorney whose appearance has been entered, the court shall permit the defendant to explain the reasons for the request, carefully consider the defendant's request, and make a determination as to whether the request is meritorious or not and take action in accordance with its determination. *See*, *e.g.*, *Pinkney v. State*, 427 Md. 77, 93-94, 46 A.3d 413, 423 (2012).

The Supreme Court of Maryland concluded that, in this case, where, in response to the court's inquiry, Mr. Goodrich advised the court that he wanted an attorney and did not reasonably apprise the court of a desire for self-representation or to discharge counsel, neither the Supreme Court's holding in *Faretta* nor its holding in *Snead* or the provisions of Maryland Rule 4-215(e) required the court to question him further. The Supreme Court concluded that, under the circumstances of the case, the court's inquiry was reasonable and complied with case law governing assertion of the right to self-representation and Maryland Rule 4-215(e).

APPELLATE COURT OF MARYLAND

Chukwuemeka Mezu v. Kristen Mezu, No. 361, September Term 2025, filed October 29, 2025. Opinion by Graeff, J.

https://www.mdcourts.gov/data/opinions/cosa/2025/0361s25.pdf

CITATIONS TO FICTITIOUS CASES GENERATED BY ARTIFICIAL INTELLIGENCE

Facts:

Kristen Mezu ("Mother") filed a Complaint for Absolute Divorce from Chukwuemeka Mezu ("Father"). Through a marital settlement agreement, the parties agreed on how they would divide their property and that Mother would have sole physical and legal custody of the children. Father filed a motion to invalidate the property and custody provisions of the Marital Settlement Agreement, arguing that they were unconscionable. In an oral ruling, the Circuit Court for Harford County slightly modified the property provision of the marital settlement agreement and upheld the custody provision.

During the appeal, Mother's counsel submitted a brief to this Court, which he admitted was generated, in part, with the use of artificial intelligence ("AI"). His brief included citations to multiple fictitious cases, as well as misquoted passages and citations that did not support the proposition for which they were cited. During oral argument, Mother's counsel stated that he typically does not read cases he cites, but instead, he relies on summaries found in treatises or on the internet.

Held: Affirmed.

The use of AI may be a valuable tool in legal practice, but it must be used responsibly. Courts across the country have recently been presented with briefs and pleadings containing fraudulent legal citations, which result from AI "hallucinations." If, as in this case, an attorney fails to read the AI generated citations submitted in a brief, it can result, as it did here, in a brief containing citations to multiple fictitious cases and to cases that do not support the proposition for which they are cited. Based on the nature and severity of the conduct here, this Court shall refer the attorney to the Attorney Grievance Commission.

Vincent Davis Jr. v. State of Maryland, No. 2162, September Term 2023, filed September 3, 2025. Opinion by Leahy, J.

https://www.mdcourts.gov/data/opinions/cosa/2025/2162s23.pdf

CRIMINAL LAW – REVIEW – MANDATE AND PROCEEDINGS IN LOWER COURT

INDICTMENTS AND CHARGING INSTRUMENTS – AMENDMENT – IN GENERAL

SENTENCING – RECONSIDERATION AND MODIFICATION OF SENTENCE – ILLEGAL SENTENCE

Facts:

In 2015, Vincent Davis, Jr., entered an *Alford* plea to first-degree assault in the Circuit Court for Baltimore County. Initially, Davis was arrested on a warrant that charged him with first, third, and fourth-degree sexual offense. A grand jury then indicted him on those charges, as well as sexual offense in the second degree, kidnapping, false imprisonment, and robbery. Davis entered into the plea agreement with the State on August 14, 2015.

As part of the plea agreement, the State agreed to amend the first-degree sexual offense charge in the indictment to a first-degree assault charge, and enter *nolle prosequi* for all other charges. At a hearing in the circuit court, defense counsel explained the elements and consequences of a first-degree assault conviction to Davis, and the court confirmed that Davis understood the consequences and voluntarily intended to enter the plea. After the State read an agreed statement of facts into the record, Davis was convicted of first-degree assault. A few months later, Davis was sentenced to twenty years' incarceration for first-degree assault.

In 2021, Davis filed a petition for post-conviction relief, alleging, among other things, that his sentence for first-degree assault was illegal because "wholesale creation of a new count requires the filing of either a criminal information or superseding indictment." In other words, according to Davis, in order to have obtained a conviction on first-degree assault, the State would have needed a superseding indictment or to have filed a criminal information to add a new offense to the grand jury's indictment. After the circuit court denied Davis's petition, he filed an application for leave to appeal. This Court summarily denied the application.

In 2023, Davis filed a motion to correct illegal sentence under Maryland Rule 4-345(a), again arguing that the State improperly added a first-degree assault charge to the grand jury indictment. The circuit court denied the motion, and Davis timely appealed.

Held: Affirmed.

As a preliminary matter, the Appellate Court addressed the State's argument that the "law of the case" doctrine precluded Davis from challenging the denial of his motion to correct an illegal sentence under Rule 4-345(a). The Court noted that the law of the case doctrine "is a judicial creation borne of procedure and convenience, rather than an inflexible rule of law." *Stokes v. American Airlines, Inc.*, 142 Md. App. 440, 446 (2002). The Court also recognized an "inherent tension" between Rule 4 345(a), which provides "a method of opening a judgment otherwise final and beyond the reach of the court[,]" and the law of the case doctrine, which prohibits relitigating an issue decided in a prior appeal. *Scott v. State*, 379 Md. 170, 182 n.6 (2004) (citations omitted). Although this tension does not "render[] the doctrine of law of the case inapplicable to motions to correct an illegal sentence[,]" *id*. at 183, the Appellate Court reasoned that in order for the law of the case doctrine to bar consideration of an illegal sentence challenge, the court must find that the same argument has already been presented and "resolved" in a prior appeal within the same case. *Nichols v. State*, 461 Md. 572, 593 (2018).

Applying the foregoing principles in its consideration of Davis's argument, the Appellate Court concluded that Davis's application for leave to appeal had not been "resolved" by the Court. The Court's prior order only stated that Davis's application was "read[,]" "considered[,]" and "denied[.]" *Davis v. State* (*Davis I)*, No. 2347, September Term 2022, slip op. at 2 (filed May 24, 2023). Because *Davis*'s application could have been denied on various grounds, the Court concluded that this summary denial "tells no one what we thought of any particular allegation in the application[,]" *Hernandez v. State*, 108 Md. App. 354, 365 (1996). Accordingly, the Court held that the argument raised in Davis's motion to correct an illegal sentence was not barred by the doctrine of law of the case.

Turning to the merits of Davis's motion to correct illegal sentence, the Appellate Court held that the circuit court did not err in denying the motion. The Court distinguished the case from *Johnson v. State*, 427 Md. 356 (2012), in which the Supreme Court held that the circuit court's denial of Johnson's motion to correct illegal sentence was improper. In that case, the purported "amendment" was made near the end of trial when the jury was presented with a verdict sheet that included assault with intent to murder—a crime never before included in the indictment. *Id*. at 363. The Supreme Court rejected the State's argument that Johnson's indictment had been "constructively amended" to include the charge of assault with intent to murder, reasoning, "[t]o allow a charge to be implied by the conduct of the parties and the trial court, though absent from the indictment, . . . would eviscerate the constitutional and prudential reasons for indicting defendants." *Id*. at 377-78. The Supreme Court concluded that because Johnson "was not properly on notice of the charge of assault with intent to murder, which prevented him from properly defending against it," his sentence for that offense was illegal under Rule 4-345(a). *Id.* at 377.

The Appellate Court pointed out that another significant distinction between Johnson and the instant case was the fact that Johnson's conviction emanated from a jury trial, whereas Davis's conviction followed a plea agreement. The Appellate Court explained that Rule 4 243, which governs plea agreements, explicitly provides that the State may, with the agreement of the defendant, “add a specified offense” through amendment. Further, Rule 4-242 provides that a defendant cannot enter a guilty plea unless the court first determines that “(1) the defendant is pleading voluntarily, with understanding of the nature of the charge and the consequences of the plea; and (2) there is a factual basis for the plea.” Thus, the Appellate Court determined, Rule 4 243, along with Rule 4 242, serve to provide the precise due process protections that were lacking in *Johnson*. Because the circuit court properly followed Rules 4 242 and 4 243 before Davis entered his *Alford* plea, the Appellate Court concluded that there was no illegality in his conviction and sentence for first degree assault.

Deon T. Campbell v. State of Maryland, No. 2164, September Term 2023, filed October 2, 2025. Opinion by Ripken, J.

https://www.mdcourts.gov/data/opinions/cosa/2025/2164s23.pdf

CRIMINAL LAW – MIRANDA RIGHTS – VITIATION OR NULLIFICATION

CRIMINAL LAW – BALANCING UNFAIR PREJUDICE WITH PROBATIVE VALUE

CRIMINAL LAW – AUTHENTICATION OF VIDEO EVIDENCE

Facts:

On May 16, 2021, Tarik Purcell ("Purcell") was shot in the eye outside of The Spot Hookah Lounge ("The Spot") in Baltimore County. Responding officers described the scene as a chaotic situation. Paramedics removed Purcell from the scene and drove him to the hospital, where he was immediately pronounced deceased. Because many patrons had quickly left the scene, officers were unable to identify witnesses and recovered limited physical evidence.

Detective Christopher Needham ("Det. Needham"), the lead investigator on the case, discovered multiple security cameras on the interior and exterior of The Spot and recovered serial numbers from those cameras. Through the execution of a search warrant, police officers obtained electronic video footage from Nest, the company that held the video footage of the surveillance cameras at The Spot ("the Nest footage"). The Nest footage was comprised of multiple video clips which portrayed both the interior of The Spot prior to the shooting and the exterior of The Spot during the murder of Purcell. Det. Needham developed Deon Campbell ("Appellant") as a suspect.

In February of 2022, Det. Needham conducted a custodial interrogation of Appellant at the Baltimore County Police Department which was both audially and visually recorded. Appellant, then incarcerated, was clothed in a yellow jail uniform akin to scrubs-style attire. The letters "BCDC," standing for Baltimore City Detention Center, could be seen on the back of Appellant's shirt. Det. Needham read Appellant his *Miranda* rights from a form, pausing after every statement to ensure Appellant understood. Det. Needham received a verbal affirmation from Appellant as to each of the rights. Appellant then asked clarifying questions, "So I'm waiving, like I'm waiving all these rights?" and "I still got these rights?" Det. Needham clarified, "You have them, but you're still going to -- you understand them and you're still going to talk to me." Appellant signed the form, waiving his *Miranda* rights. During the interrogation, Det. Needham showed Appellant the Nest footage. Appellant identified himself to Det. Needham in the interior video clips; however, while watching the exterior clips, he declined to identify the individual who appeared to be the same person he had already identified as himself.

Appellant was tried before a jury in June of 2023. Prior to trial, Appellant moved to suppress the statements he made while being interrogated by Det. Needham because, he alleged, Det. Needham's answer to his clarifying question regarding his *Miranda* rights was an improper statement of the law. Appellant also sought to suppress the video on the basis that he was wearing a jail uniform. The court denied the motion, and the video was shown to the jury at trial. The State redacted the portion of the video displaying institutional lettering on the back of Appellant's shirt.

Through a motion in *limine,* Appellant sought to exclude crime scene and autopsy photographs of Purcell, arguing that they were unduly prejudicial. The circuit court reserved ruling on the motion until trial and, at trial, denied the motion and admitted the photographs into evidence. Additionally, during trial, Appellant objected to the admission of the Nest footage and to a Certificate of Authenticity ("the Nest Certificate"), which described the process that a Nest custodian of records took to adequately and accurately respond to the search warrant for the footage. Appellant argued that the footage was not properly authenticated. The court admitted the footage into evidence. Prior to the submission of the case to the jury, Appellant moved for a judgment of acquittal, arguing that the State did not prove, beyond a reasonable doubt, the element of premeditation. The circuit court denied the motion and submitted the case to the jury for deliberations.

The jury found Appellant guilty of first-degree murder and related firearm charges. Appellant noted this timely appeal, raising five issues.

Held: Affirmed.

First, the Appellate Court held that Appellant's valid *Miranda* waiver was not vitiated by Det. Needham's answer to Appellant's clarifying question. Following a proper recitation of *Miranda* rights, when a person being interrogated asks for clarification regarding those rights, an officer cannot make an incorrect statement of law or intentionally mislead or trick the person being interrogated. Making such a statement vitiates or nullifies the previously proper *Miranda* advisement. Here, the Court found that Det. Needham answered Appellant's question in a legally appropriate fashion and did not misstate the law. Where a defendant waives *Miranda* rights, that waiver does not mean those rights are gone forever; instead, the protections afforded by *Miranda* are only waived for the purpose of that specific conversation or interrogation, and those protections can resume upon an invocation from the defendant. Where an officer provides clarifying information in a legally correct fashion, the *Miranda* advisement and any subsequent waiver of those rights remains proper. Thus, the Court held that the circuit court did not err when it denied Appellant's motion to suppress his statements.

The Court next examined whether the depiction of Appellant in a jail uniform in the interrogation video was unfairly prejudicial. To determine whether unfair prejudice resulting from a video of a defendant wearing jail clothes outweighs the video's probative value, trial courts should conduct the Rule 5-403 balancing test. Additionally, as part of the unfair prejudice prong of the balancing test, trial courts should examine: (1) whether the State has a demonstrable need to introduce the evidence; (2) if shown to the jury, whether the evidence implies that the defendant has a prior criminal record; and (3) when introduced at trial, whether the evidence was introduced in a manner such that it does not draw particular attention to the source or implication of the evidence. The Court likened the redacted interrogation video shown to the jury to a sanitized mug shot and held that the risk of prejudice did not outweigh its probative value. The Court examined recent caselaw from other states in which courts have found that videos depicting defendants in jail clothing are not unduly prejudicial. The Court held that a video containing a defendant wearing a prison or jail uniform is not inherently prejudicial and does not raise the same concerns under the Sixth Amendment as when the defendant appears in the courtroom before the jury in jail or prison clothing. The Court therefore held that the circuit court did not abuse its discretion in admitting the interrogation video.

The Court next found that the crime scene and autopsy photographs depicting Purcell's injuries were not unduly prejudicial. The Court found that the photographs were relevant and probative because they illustrated testimony and helped the jury to understand the severity of the crime. A trial court does not abuse its discretion in admitting crime scene or autopsy photographs, even when they depict graphic content, if the danger of unfair prejudice is not outweighed by the probative value of that evidence. The Court held that here, the circuit court properly exercised its discretion in determining that the probative value of the photographs outweighed any potential unfair prejudice.

Next, the Court held that the circuit court did not abuse its discretion when it determined that the Nest footage was authenticated. Video evidence can be authenticated using a variety of procedures, including self-authentication, circumstantial evidence, or a combination of methods. Here, the Court found that the Nest footage was authenticated because it met the requirements for self-authentication, and there was sufficient circumstantial evidence for a reasonable juror to infer that the footage fairly and accurately depicted the events at The Spot.

Finally, the Court held that the evidence was sufficient to convict Appellant of first-degree murder. Appellant challenged only the element of premeditation in his motion for judgment of acquittal. The Court noted that the Nest footage depicted a brief conversation between Appellant and Purcell inside The Spot; shortly thereafter, Appellant followed Purcell outside and shot him in the face at point-blank range. Additionally, several pieces of evidence demonstrated the severity of Purcell's wound. The Court found that circumstantial evidence which depicted the intensity of a victim's killing at close range following a brief conversation was sufficient to establish premeditation for first-degree murder. Accordingly, the Court affirmed Appellant's convictions.

Montay D. Shuler v. State of Maryland, No. 2257, September Term 2023, filed October 31, 2025. Opinion by Eyler, D., J.

https://www.mdcourts.gov/data/opinions/cosa/2025/2257s23.pdf

PROBABLE CAUSE TO SUPPORT WARRANTLESS ARREST – ANONYMOUS 911 CALL – RELIABILITY OF CALLER'S INFORMATION – EVIDENCE CONSTITUTING REASONABLE BELIEF THAT THE SUSPECT COMMITTED THE CRIME – LACK OF EVIDENCE GENERATED AT TRIAL TO SHOW INVOLUNTARINESS OF DEFENDANT'S STATEMENT.

Facts:

On a summer evening in West Baltimore, shots were heard outside and calls started to come into 911. One caller reported, anonymously, that she heard the shots and saw two men run to a white car and drive off. She described the men and specified their location; gave the operator the vehicle's license plate number; explained the route the men left by; and said that when she got closer to the area where the white car had been, she saw a body in a parked car. Responding officers found the bodies of two victims in the car, both shot to death. The police determined that the appellant was the registered owner of the vehicle, a white Subaru. They prepared an "attempt to locate" flyer setting out information about the vehicle. About twenty-four hours after the shootings, the police located the vehicle on a grocery store parking lot near where the shootings had taken place. They tracked the appellant as he left the store and was approaching the vehicle and asked him his name, which he gave. They placed him under arrest and took him to the station house. A key fob on his person was linked to the vehicle. Immediately after the arrest, police saw from outside the vehicle part of a gun under the driver's seat. They obtained a search warrant for the vehicle and recovered the gun, which was determined to have belonged to one of the victims. At the station house, detectives interviewed the appellant for about fifteen minutes. He gave a statement denying having anything to do with the shootings and claiming to be miles away when it happened. The appellant testified at trial, admitting that he had shot the victims. He claimed he had driven to the area so a friend who was with him could purchase drugs from one of the victims, and when the drug deal went wrong, he shot the victims in self-defense and in defense of his friend.

The suppression court denied the appellant's motion to suppress all the evidence he claimed flowed from his arrest for lack of probable cause to arrest. The trial court declined to give a jury instruction on voluntariness of the appellant's statement to the police. The appellant was convicted of two counts of voluntary manslaughter, one count of robbery with a deadly weapon, and related crimes.

Held: Affirmed.

The suppression court's factual findings were supported by the evidence and the inferences it drew from those facts, that the two men running to the white car probably were the shooters making their getaway and that the man driving the car probably was its owner, were reasonable. The caller's report to 911 was a reliable source of information even though it was given anonymously. As an auditory witness to the shootings and a visual witness to the getaway, she gave a firsthand contemporary account of the events. Her information was detailed and particularized, and she was calling the police to aid law enforcement. In addition, although the caller did not give her name, the 911 system operates so as to allow identification of any caller, if sought.

The evidence known to the police when the arrest was carried out was sufficient to constitute probable cause. The standard is whether, under the totality of the circumstances, the arresting officer had a reasonable belief that the appellant had committed the crimes in question, i.e., those flowing from the shootings of the two victims twenty-four hours earlier. The total circumstances included a specific identifier – the license plate number – of the likely getaway vehicle; identification of the appellant as the owner of that vehicle; the appellant's being found near the vehicle's location in a parking lot as he was approaching it; the appellant's identification of himself as the owner of the vehicle; and that no one else was with him at that time. A license plate number of a vehicle involved in a crime is very strong identifying evidence. From this information, the arresting officer reasonably could believe that the appellant's vehicle had not been stolen prior to the shootings; that he had driven his vehicle to the location of the shootings; that he was one of two men who committed the shootings; that he ran to his vehicle afterward; and that he drove his vehicle away from the location of the shootings. The passage of twenty-four hours from the time of the shootings did not dissipate probable cause to arrest the appellant.

The trial court did not err in declining to give a voluntariness instruction because the evidence adduced at trial did not generate the issue of the voluntariness of the appellant's statement to the police. The statement was used at trial for impeachment only, not for its substance, and the jury was given a limiting instruction to that effect. The statement was not a confession and indeed was exculpatory. It was given during a brief interview that took place after *Miranda* warnings were given and ended when the appellant asked for counsel. There were no facts adduced about the circumstances of the interview that would support a reasonable finding that the appellant's will was overborne or that the statement was the product of threats, coercion, or improper promises, or that there were any circumstances that could make it inadmissible as involuntary. And during the trial, the defense had acknowledged that it was, in fact, a voluntary statement.

In re O. RG., No. 404, September Term 2025, filed October 31, 2025. Opinion by Reed, J.

https://www.mdcourts.gov/data/opinions/cosa/2025/0404s25.pdf

JUVENILE LAW – COLLATERAL ORDER DOCTRINE

JUVENILE LAW – CHILDREN IN NEED OF ASSISTANCE – SPECIAL IMMIGRANT JUVENILE STATUS – JURISDICTION

JUVENILE LAW – CHILDREN IN NEED OF ASSISTANCE – SPECIAL IMMIGRANT JUVENILE STATUS – PLEADING REQUIREMENTS

JUVENILE LAW – CHILDREN IN NEED OF ASSISTANCE – SPECIAL IMMIGRANT JUVENILE STATUS – SERVICE OF PROCESS

JUVENILE LAW – LAW-OF-THE-CASE DOCTRINE

Facts:

Appellant, O. RG., was born in Guatemala in August 2006, and is currently nineteen years old. Appellant's father left his family when Appellant was about six, and Appellant's mother often physically punished Appellant and married a man who often threatened to kill Appellant. In August 2021, Appellant left Guatemala and entered the United States as an unaccompanied minor. Once in the United States, Appellant lived with two adults who forced him to work without pay or food and did not allow him to attend school. Appellant later began attending school. On April 26, 2023, he got into an altercation at school, during which he allegedly made statements of self-harm. He was taken to a psychiatric hospital for evaluation, which ultimately resulted in the Department of Social Services ("the Department") filing a child in need of assistance ("CINA") petition and requesting Appellant be placed in shelter care following his hospitalization, on April 27, 2023.

On April 28, 2023, the Circuit Court for Anne Arundel County, sitting as a juvenile court, authorized the Department's shelter care request. On May 22, 2023, the juvenile court sustained the Department's CINA petition, finding Appellant to be a CINA and committing him to the Department's custody. On March 28, 2024, Appellant filed a motion for Entry of Order Regarding Factual Findings for Special Immigrant Juvenile ("SIJ") under the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(27)(J), followed by an Amended Motion making the same request and a Motion for Alternative Service for his parents. SIJ means "an immigrant who is present in the United States […] who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law[.]" 8 U.S.C. § 1101(a)(27)(J)(ii).

On June 4, 2024, the juvenile court denied these motions on the grounds that Appellant failed to properly serve his parents and ordered that Appellant supplement his Amended Motion within thirty days to show cause as to why the Motion for Special Immigrant Juvenile Status ("SIJS") findings is proper in this juvenile matter rather than a separate family law matter. Appellant filed a supplement to his Amended Motion and a Motion for Satisfaction of Service Requirements.

On October 29, 2024, the juvenile court denied both Appellant's motions on the grounds that Appellant failed to properly serve both his parents, failed to include both parents as parties, and the SIJS request needed to be filed in a separate family law case. On March 5, 2025, Appellant filed an Emergency Motion for Special Findings of Fact and Law, reiterating his request for SIJS factual findings. On March 24, 2025, the juvenile court denied Appellant's Emergency Motion on the grounds that the juvenile court's Order docketed on October 29, 2024, served as the law-of-the-case.

On April 23, 2025, Appellant timely appealed the juvenile court's Order.

Held: Reversed and Remanded.

The Court addressed two issues: first, whether this Court has jurisdiction to review the juvenile court's denial of Appellant's motion for SIJS findings under the collateral order doctrine; and second, whether the juvenile court had jurisdiction to make SIJS factual findings for Appellant and if the juvenile court erred by not doing so.

First, the Court determined that it had jurisdiction to review this interlocutory appeal under the collateral order doctrine. Typically, a party only has the right to appeal a final judgment. S*ee In re M.P.*, 487 Md. 53, 68 (2024) (citing Md. Code Ann., Cts. & Jud. Pro. § 12-301). However, the Court determined that all four requirements for an interlocutory order to be immediately appealable under the collateral order doctrine were met in this case. First, the Court concluded that the juvenile court's Order on March 24 "conclusively determine[d]" the juvenile court was not required or willing to make SIJ factual findings and that Appellant would be completely ineligible for SIJ status, leaving Appellant with no further recourse. *In re O.P.*, 470 Md. 225, 251 (2020); *see also* "Special Immigrant Juvenile Status: Information for Juvenile Courts," U.S. Citizenship and Immigration Services ("USCIS") available at https://perma.cc/DX25-ESYQ (last visited Sept. 16, 2025). Second, the juvenile court's Order "resolve[d] an important issue" because it concerned the "safety and welfare of [a] child." *Id*. Third, the juvenile court's Order "resolve[d] an issue that is completely separate from the merits of the action" because the request for SIJS factual findings is completely separate from the merits of Appellant's CINA action. *Id*. Finally, the Order "would be effectively unreviewable if the appeal had to await entry of a final judgment" because it is unlikely Appellant's CINA case will close before he turns twenty-one years old, at which time he would no longer be eligible for SIJ status. *Id*; *see also* Md. Code Ann., Cts. & Jud. Proc. § 3-804; C.F.R. § 204.1(c).

Next, the Court held that the juvenile court had on-going jurisdiction over Appellant's CINA case and Appellant adequately put the court on notice of his requests for SIJS factual findings by making numerous requests of the court. *See* Md. Code Ann. Cts. & Jud. Proc. §§ 3-804; 3-819; see also *Simbaina v. Bunay,* 221 Md. App. 440, 457-58 (2015). Thus, the Court determined that Appellant's request for SIJS factual findings did not need to be filed in a separate cause of action. Further, the Court concluded there was no service issue in Appellant's case because Appellant's parents were parties to his CINA case and copies of all pleadings and filings were mailed to the parents' last known addresses in compliance with Md. Rule 1-321(a). *See* Md. Code Ann. Cts. & Jud. Proc. § 3-801(v)(1). Therefore, the Court held that the juvenile court erred because it had jurisdiction over Appellant's SIJS request, and in fact was required to hear testimony and receive evidence to make independent factual findings regarding Appellant's eligibility for SIJ status. *See Romero v. Perez*, 463 Md. 182, 190-91 (2019); *Simbaina*, 221 Md. App. at 457-59.

Finally, the Court determined that the juvenile court erred in concluding that the juvenile court's October 29, 2024 Order served as the law-of-the-case for the juvenile court's March 24, 2025 Order. Specifically, the Court determined that a juvenile court's order denying a request to make SIJ factual findings cannot serve as the law-of-the-case, under the law-of-the-case doctrine, for another juvenile court to deny such a request. *See Scott v. State*, 379 Md. 113, 184 (2017); *Elec. Gen. Corp. v. Labonte*, 454 Md. 113, 140 (2017).

Joseph Watts v. Prince George's County, Maryland, No. 194, September Term 2024, filed October 29, 2025. Opinion by Wells, C.J.

https://www.mdcourts.gov/data/opinions/cosa/2025/0194s24.pdf

CIVIL LAW – LOCAL GOVERNMENT TORT CLAIMS ACT – DAMAGES

Facts:

This appeal arises from a jury award of $1.7 million to Lt. Joseph Watts, which was subsequently reduced to $400,000 on a motion for remittitur under the damages cap in the Local Government Tort Claims Act ("Local Government TCA") on claims for "tortious acts or omissions."

Watts had been employed as a correctional officer by the Prince George's County ("the County") Department of Corrections ("the DOC") for over fifteen years when he suffered a foot infection necessitating amputation in October 2017. The DOC placed Watts on medical leave until his doctor cleared him to return to full-duty status in March 2018. Days before returning to duty, Watts was promoted to the rank of lieutenant. Watts began working light-duty as a lieutenant and presented evidence at trial that he was able to fully perform his job duties at that time.

But the DOC refused to place Watts on full-duty status until he took a physical agility test. Evidence produced at trial showed the physical agility test was typically only given to new recruits and that aspects of the test as applied to Watts were abnormal.

Six weeks after taking the agility test, the DOC informed Watts that he failed and was not fit for full-duty work. Watts proposed reasonable accommodations, which the DOC rejected. The DOC continued to require Watts to pass an agility test. Watts agreed to undergo another test in January 2019, but did not proceed with it after learning it would not be administered by a third-party agency at a neutral location, as Watts and the DOC had previously agreed.

The DOC placed Watts on leave in February 2019 with notification that his employment was being terminated because of his disability. Watts appealed his termination to the County's Personnel Board and accepted a disability retirement settlement. Watts filed a complaint against the County in the Circuit Court for Prince George's County, asserting one count each of employment disability discrimination and retaliation under the Maryland Fair Employment Practices Act, Maryland Code §§ 20-606(a), (f) of the State Government Article ("SG"), and one count of employment discrimination under Prince George's County Code ("PGCC") § 2-222.

After a five-day jury trial, the jury found in favor of Watts on all three counts, awarding him a total of $1.7 million. The County subsequently filed a motion for judgment notwithstanding the verdict, or in the alternative, motion for remittitur, and a motion for a new trial. The court granted the County's motion for remittitur and ordered the verdict be reduced to $400,000 under the damages cap in the Local Government TCA on claims for "tortious acts or omissions." Watts filed this timely appeal, challenging the damages cap's application to his statutory employment discrimination and retaliation claims.

Held: Reversed.

The Appellate Court of Maryland held the damages cap in the Local Government TCA does not apply to Watts' jury verdict for employment discrimination and retaliation. The Local Government TCA does not define "tortious acts or omissions," thus the Court looked to statutory interpretation for help. Further, the Court looked to Maryland Appellate decisions to determine whether the phrase applies to Watts' statutory employment discrimination and retaliation claims. Notably, the Supreme Court of Maryland interpreted the Local Government TCA to apply to constitutional torts in addition to common law torts in *Espina v. Jackson*, 442 Md. 311 (2015). In *Williams v. Morgan State University*, 484 Md. 534 (2023), the Supreme Court of Maryland interpreted the Maryland Tort Claims Act to not apply to federal statutory claims and emphasized that state statutory claims are generally not included within the definition of "tort actions." The Maryland General Assembly has the power to waive state sovereign immunity and set liability limits for statutory claims by enacting statutes, but did not do so in this situation. Therefore, there is no evidence that the Local Government TCA was intended to cover Watts' statutory employment discrimination and retaliation claims.

ATTORNEY DISCIPLINE

DISBARMENTS/SUSPENSIONS

By an Order of the Supreme Court of Maryland dated October 23, 2025, the following attorney has been suspended:

ASIM ABDUR RAHMAN GHAFOOR

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JUDICIAL APPOINTMENTS

*

On September 10, 2025, the Governor announced the appointment of **JAMES J. DIETRICH** to the Circuit Court for Montgomery County. Judge Dietrich was sworn in on October 9, 2025, and fills the vacancy created by the retirement of the Hon. Joan E. Ryon.

*

On September 26, 2025, the Governor announced the appointment of Magistrate **MAURICE C. FRAZIER** to the Circuit Court for Howard County. Judge Frazier was sworn in on October 16, 2025, and fills the vacancy created by the retirement of the Hon. Quincy L. Coleman.

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On September 10, 2025, the Governor announced the appointment of **KRISTINA L. WATKOWSKI** to the Circuit Court for Worcester County. Judge Watkowski was sworn in on October 24, 2025, and fills the vacancy created by the retirement of the Hon. Mary M. Kent.

*

On October 28, 2025, the Governor announced the appointment of **EVELYN L. CUSSON** to the Circuit Court for Baltimore County. Judge Cusson was sworn in on October 31, 2025, and fills the vacancy created by the retirement of the Hon. Vicki Ballou-Watts.

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UNREPORTED OPINIONS

The full text of Appellate Court unreported opinions can be found online:

https://mdcourts.gov/appellate/unreportedopinions

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Bynum, Louis Jarrard v. State	2344 *	October 28, 2025
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Dobson, Timothy v. Talbot Cnty.	0329 *	October 29, 2025
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Gutierrez, Jemima v. Horgan	1426 *	October 21, 2025

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