



GREGORY HILTON
Clerk

Court of Special Appeals
Robert C. Murphy Courts of Appeal Building
361 Rowe Boulevard
Annapolis, Maryland 21401-1699

(410)260-1450
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February 14, 2022

Notice Regarding Oral Arguments in March 2022

Dear Counsel:

The Court of Special Appeals is holding its March 2022 oral arguments in-person at the Robert C. Murphy Courts of Appeal Building. Arguments and counsel appearing for arguments are subject to the attached protocols.

As more fully explained in the protocols, please complete an online health questionnaire and upload either proof of full vaccination or proof of a negative COVID 19 test taken within 72 hours prior to oral argument. Please note that self-administered COVID-19 tests (that is, tests that are administered by and read by yourself) do not satisfy this requirement.¹

To facilitate staggered check-in times, you will receive notice of your check-in time (either 9:00 a.m. or 10:30 a.m.) a few days prior to your scheduled argument.

If you have any questions, please contact the Clerk's Office at 410-260-1450.

Very truly yours,

Gregory Hilton
Clerk

¹ Tests administered at a doctor's office, clinic, pharmacy, or other testing site do satisfy the testing requirement even if the sample is taken by you.

Court of Special Appeals Oral Argument Protocols

Background

- All court personnel who will be in the courtroom have been fully vaccinated.¹
- The distance between counsel tables and between each counsel table and the benches in each courtroom is greater than six feet.
- Plastic barriers will be placed between counsel tables.
- Counsel will argue from table-top podia placed atop each counsel table.
- Each side in a case is limited to no more than two individuals attending oral argument in person, including any arguing attorneys (i.e., either an arguing attorney and a party or two attorneys).
- Gallery seating will be socially distanced and limited to court personnel and those individuals (no more than two per side) present to attend the argument in progress or the next scheduled argument.

Day of Argument Protocols

All individuals attending oral argument (no more than two per side) must:

1. Provide proof of full vaccination or proof of a negative COVID test (**from a test taken within 72 hours before oral argument**). **The test may not be self-administered.** Proof should be uploaded by 3:00 p.m. the day before oral argument.

AND
2. **On the morning of oral argument**, complete a health screening questionnaire before arriving at the courthouse.

A link to the website for uploading your proof of vaccination/proof of negative test and the link to the health screening questionnaire are being provided to counsel in a separate notice.

Persons shall not attend oral argument if they:

Are experiencing any symptoms of COVID-19 (fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of

¹ Fully vaccinated, according to the Centers for Disease Control and Prevention, means 2 weeks after receiving a second doses of the Pfizer or Moderna vaccines or 2 weeks after receiving the Johnson & Johnson Janssen vaccine. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/different-vaccines.html>.

taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea).

Have tested positive for COVID-19 within the past 14 days or are currently awaiting the results of a test, have been directed to isolate by a medical professional, or have had close contact (closer than six feet for more than 15 minutes in a 24-hour period) with a person who has been diagnosed with COVID-19 within the past 14 days.

Arguing counsel are required to inform the Clerk of Court, Greg Hilton (410-260-1450 or Greg.Hilton@mdcourts.gov) promptly: (1) before oral argument, upon learning of any condition that will render them unable to meet these conditions; or (2) if, within seven days after oral argument, they or a person accompanying them at oral argument display any symptoms of COVID-19 or test positive for COVID-19.

Argument Protocols

REPORT TIMES. Arguments will be staggered, with report times at either 9:00 or 10:30, and heard in groups of two. The second group will be directed to enter the courtroom by court personnel once the first group's arguments are completed.

ATTENDANCE AT ORAL ARGUMENT. The Court will be webcasting oral arguments live from its website: <https://mdcourts.gov/cosappeals/webcasts>. The designated individuals attending oral argument (no more than two per side) may be present in the gallery during an oral argument only if they are there to attend that argument or the next scheduled argument in the same group. The gallery will otherwise be closed to the public.

MASK REQUIREMENT. All persons present in the courtroom will be required to wear masks at all times, except that the panel may, in its discretion, permit fully vaccinated judges and arguing counsel to remove masks while speaking *if* the United States Centers for Disease Control and Prevention has identified Anne Arundel County as a "moderate" or "low" COVID-transmission county for 14 consecutive calendar days before argument.² The presiding judge will announce at the outset of arguments whether fully vaccinated individuals will be permitted to unmask while speaking.

DISINFECTING COUNSEL TABLE. Counsel tables will be disinfected using disinfectant wipes before the first oral argument each day. Disinfectant wipes will be placed at each counsel table. Counsel are expected to wipe any surfaces they touched

²https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=Maryland&data-type=Risk&list_select_county=24003.

during oral argument before leaving the area. Incoming counsel should wait to approach counsel tables until their case is called.

Any counsel who intends to request that an argument be held remotely for a non-emergent reason must make a request in writing at least 10 days before the day of argument. Any such request must state the position on the request of all other parties who will be presenting oral argument in the case.

Note: Although every effort is made to ensure that the schedule is kept up-to-date, last minute changes to the schedule may occur.
To confirm the schedule, please contact the Clerk's Office at 410-260-1450.

Court of Special Appeals March 2022 Schedule

Panel assignments for argued cases will be identified for each courtroom approximately 7 - 10 days in advance of argument. Panel assignments are always preliminary and subject to change. If any party has a basis for seeking recusal of any judge listed as sitting in a courtroom in which that party's case is pending, a motion should be filed no later than 3 business days before the argument. Additions to the docket are indicated in bold type. Cases that have been removed from the docket are indicated by strikethroughs.

Tuesday, March 1, 2022

Courtroom 1

(Judges: Graeff, Presiding, Beachley, James Eyler)

CSA-REG-0620-2021	Concerned Citizens of Cloverly, et al v. Montgomery County Planning Board, et al
CSA-REG-1812-2019	Keon Gray v. State of Maryland
CSA-REG-1156-2021	In Re: D. S.
CSA-REG-1296-2021	In Re: B. B.

Courtroom 2

(Judges: Shaw, Presiding, Wells, Ripken)

CSA-REG-1185-2021	In Re: D. S.
CSA-REG-1232-2021	In Re: S. B.
CSA-REG-1301-2021	In Re: A. R.

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Wednesday, March 2, 2022

Courtroom 1

(Judges: Leahy, Presiding, Nazarian, Harrell)

CSA-REG-0275-2021	Miranda S Kadish v. Craig M Kadish
CSA-REG-0481-2021	Melissa Candolfi v. Allterra Group, LLC
CSA-REG-0714-2021	Flaubert Mbongo v. Robinhood Markets Inc, et al

Note: Although every effort is made to ensure that the schedule is kept up-to-date, last minute changes to the schedule may occur.
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Thursday, March 3, 2022

Courtroom 1

(Judges: Fader, Presiding, Friedman, Meredith)

CSA-REG-0500-2021	Bernard Eugene Alexander v. State of Maryland
CSA-REG-0528-2021	Vincent P Mona, et al v. Arthur J. Gallagher Risk Management Services, Inc., et al
CSA-REG-0558-2021	Jonathan West v. Teressa West
CSA-REG-0785-2021	James Angelo Ruggieri v. Paul K Piontkowski, DDS

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Monday, March 7, 2022

Courtroom 1

(Judges: Beachley, Presiding, Berger, Reed)

CSA-REG-0418-2021	Scott Perry v. Maryland Department of Health
CSA-REG-0779-2021	Robert Malinowski v. Lindsey Malinowski
CSA-REG-1292-2021	In Re: J. J.
CSA-REG-1390-2021	St. Frances Academy, et al v. Gilman School Inc.

Note: Although every effort is made to ensure that the schedule is kept up-to-date, last minute changes to the schedule may occur.
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Tuesday, March 8, 2022

Courtroom 1

(Judges: Friedman, Presiding, Nazarian, Zic)

CSA-REG-0431-2021	Peterbilt of Baltimore LLC v. Capitol Gateway Properties LLC
CSA-REG-0778-2021	In Re: The Estate of Mehdi Ahmad
CSA-REG-0974-2021	Chima Maximus Amakiri v. Chika Beatrice Okoronkwo

Note: Although every effort is made to ensure that the schedule is kept up-to-date, last minute changes to the schedule may occur.
To confirm the schedule, please contact the Clerk's Office at 410-260-1450.

Wednesday, March 9, 2022

Courtroom 1

(Judges: Kehoe, Presiding, Arthur, Shaw)

CSA-REG-0308-2021	Earl D Poe v. State of Maryland, et al
CSA-REG-0398-2020	In Re: The Estate of Myrtle Rollins
CSA-REG-0399-2020	In Re: The Estate of Leroy Rollins, Sr.
CSA-REG-0523-2021	Abraham Porat, et al v. Randy Sager, et al
CSA-REG-1058-2021	Genna McLean v. Ryan Joy

Note: Although every effort is made to ensure that the schedule is kept up-to-date, last minute changes to the schedule may occur.
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Thursday, March 10, 2022

Courtroom 1

(Judges: Ripken, Presiding, Wells, Zic)

CSA-REG-0535-2021	Edward Cole v. Auto Dent Care Inc, et al
CSA-REG-0666-2021	Carl Little, Jr. v. Kevin Pohanka
CSA-REG-0739-2021	Tyrie Washington v. State of Maryland

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The following cases are submitted on the briefs

CSA-REG-0655-2021	Paul V Bennett v. Karen M Bennett
CSA-REG-0929-2021	Theresa A Jordan v. Paul Nichols Romani
CSA-REG-0639-2021	Christopher Ose-Afiana v. Nadine Godbolt
CSA-REG-0643-2021	In Re: K. P.
CSA-REG-0931-2021	Aris Compres v. Luz Maria Campusano Charles
CSA-REG-0475-2021	Robert Malinowski v. Kristine D Brown, et al
CSA-REG-0508-2021	Robert Jamar Davis v. State of Maryland
CSA-REG-0559-2021	Xiaodong Luo v. Hongxia Liu
CSA-REG-0593-2021	Everett Leroy Barton, Jr. v. State of Maryland
CSA-REG-0982-2021	Christian Tischer v. Regina Lambeck
CSA-REG-0577-2021	In Re: Z. D.
CSA-REG-0964-2021	CeYvonne Jacobs v. Jarone Jacobs
CSA-REG-1080-2021	Loren Evans Jones v. Antione Wells
CSA-REG-1081-2021	Loren Evans Jones v. Antione Wells
CSA-REG-0814-2021	Desmond Jones v. State of Maryland
CSA-REG-0933-2021	Joqua' D Burton v. Precious M West
CSA-REG-1048-2021	Jonathan Kelly Nooney v. Demiah Dawn Nooney