

Circuit Court for Baltimore City  
Case No. 121341002

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 669

September Term, 2024

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TAIWAN MITCHELL

v.

STATE OF MARYLAND

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Arthur,  
Shaw,  
Raker, Irma S.  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Arthur, J.  
Dissenting Opinion by Raker, J.

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Filed: March 31, 2026

\*This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

Rule 4-215(e) dictates the steps that a trial court must take when a criminal defendant “requests permission to discharge an attorney whose appearance has been entered[.]” A trial court is relieved of the obligation to take those steps only if “meaningful trial proceedings” have begun. *See, e.g., State v. Campbell*, 385 Md. 616, 632-33 (2005); *State v. Brown*, 342 Md. 404, 428 (1996). The failure to comply with Rule 4-215(e), where compliance is required, is not harmless error. *See, e.g., State v. Weddington*, 457 Md. 589, 606 (2018); *Womack v. State*, 244 Md. App. 443, 453 (2020).

In this case, the parties agree that the Circuit Court for Baltimore City failed to comply with Rule 4-215(e) because the court erroneously concluded that “meaningful trial proceedings” had begun when the defendant requested permission to discharge his attorney. The State argues, however, that the error was “cured” because the defendant obtained counsel before the trial recommenced.

We are constrained to reverse the judgments below and to remand this case for further proceedings.

#### **FACTUAL AND PROCEDURAL HISTORY**

Because this case turns on a procedural issue, we need not set forth a detailed factual exposition of the underlying crimes. *See Teixeira v. State*, 213 Md. App. 664, 666-67 (2013). Suffice it to say that on November 13, 2021, Crystal Shrewsbury and Ray Cantler were shot with a pellet gun—Shrewsbury in the arm, Cantler in the eye. Cantler died of complications from the gunshot wound. When shown a photo array on the day

after the shooting, Shrewsbury identified Mitchell, whom she knew as “Slick,” as the shooter.

On December 7, 2021, a grand jury indicted Mitchell on four counts: 1) first-degree murder of Cantler, 2) attempted first-degree murder of Shrewsbury, 3) possession of a gas or air pellet gun in Baltimore City, and 4) discharging a gas or air pellet gun in Baltimore City.

On October 18, 2022, the day when the trial was scheduled to begin, Mitchell stated that he did not feel comfortable proceeding to trial with his court-appointed counsel and that he wanted to engage private counsel. Although voir dire had yet to begin, the circuit court concluded that meaningful trial proceedings had commenced. Consequently, the court did not comply with the requirements of Rule 4-215(e).

The court allowed Mitchell to discharge his counsel and sent him, without an attorney, to request a postponement, which he obtained. With the assistance of his family, Mitchell managed to engage another court-appointed attorney, who entered her appearance about 30 days later, on November 17, 2022.

The charges against Mitchell were tried to a jury from November 30, 2023, to December 5, 2023. At trial, Shrewsbury testified that Mitchell shot Cantler in a dispute over drug money and then shot her. The State produced evidence that Mitchell had been seen near the crime scene with an Airsoft BB gun days before the shooting.

At the close of all the evidence, the court granted Mitchell’s motion for judgment of acquittal on the charge of attempted first-degree murder of Shrewsbury, as well as the

lesser-included charge of attempted second-degree murder. The court instructed the jury on the charges of first-degree and second-degree assault of Shrewsbury. The court allowed the jury to decide the charge of second-degree assault against Shrewsbury even though the State had not charged that offense in the indictment.

The jury acquitted Mitchell of first-degree murder of Cantler and of first-degree assault against Shrewsbury. It convicted him of involuntary manslaughter of Cantler, second-degree assault against Shrewsbury, and the two pellet gun charges.

The court sentenced Mitchell to ten years of incarceration for involuntary manslaughter; a consecutive five years of incarceration for the second-degree assault against Shrewsbury; and two, consecutive one-year terms of incarceration for the pellet gun convictions. The court did not merge the convictions for possessing a pellet gun and discharging a pellet gun.

This timely appeal followed sentencing.

We shall introduce additional facts as they become relevant to the discussion.

### **QUESTIONS PRESENTED**

Mitchell presents three questions, which we quote:

1. Was Mr. Mitchell illegally convicted of, and sentenced for, the second-degree assault of Ms. Shrewsbury, where second-degree assault was not charged in the indictment?
2. Did the trial court fail to comply with Rule 4-215 when it permitted Mr. Mitchell to discharge his attorney?
3. Must Mr. Mitchell's sentence and conviction for possession of a gas- or air-pellet gun be merged into a sentence and conviction for discharge of a gas- or air-pellet gun?

The State concedes that we must vacate the conviction for second-degree assault, because it was not charged in the indictment, because the indictment could not be amended to include that charge without Mitchell’s consent (*see* Md. Rule 4-204), and because second-degree assault was not a lesser-included offense of attempted murder.

The State also concedes that the court should have merged the convictions for possessing and discharging a pellet gun because they are the “same offense” under the required evidence test.

Finally, the State concedes that the court failed to comply with Rule 4-215. The State argues, however, that the error was “cured, or rendered moot” when “Mitchell obtained a new panel attorney who represented him at trial.” (Emphasis in original.) Although Maryland courts have repeatedly held that a violation of Rule 4-215(e) requires a reversal “irrespective of . . . the lack of an affirmative showing of prejudice to the accused” (*Knox v. State*, 404 Md. 76, 87 (2008) (quoting *Broadwater v. State*, 401 Md. 175, 182 (2007))), the State insists that, in arguing that the error was “cured, or rendered moot,” it is not arguing that the error was harmless.

In view of the State’s concessions, which we accept, the sole issues before us are (1) whether the circuit court’s error was “cured, or rendered moot,” because “Mitchell obtained a new panel attorney who represented him at trial” and (2) whether there is a meaningful distinction between saying that a violation of Rule 4-215(e) has been “cured” and saying that the violation was “harmless.”

## DISCUSSION

Criminal defendants have a right to counsel as guaranteed by the Sixth Amendment of the United States Constitution. U.S. Const. amend. VI. The Sixth Amendment also implicitly guarantees a “correlative right to dispense with a lawyer’s help[.]” *Adams v. United States ex rel. McCann*, 317 U.S. 269, 279 (1942); *accord Faretta v. California*, 422 U.S. 806, 821 (1975) (holding that the Sixth Amendment “implies a right of self-representation”).

In most cases, Rule 4-215 governs the procedure that Maryland trial courts must follow when a criminal defendant indicates a desire to discharge counsel. Because interpretations of constitutional rights and the Maryland Rules are questions of law, we review *de novo* whether a trial court has complied with Rule 4-215. *State v. Graves*, 447 Md. 230, 240 (2016).

Rule 4-215(e) provides as follows:

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. If the court finds that there is a meritorious reason for the defendant’s request, the court shall permit the discharge of counsel; continue the action if necessary; and advise the defendant that if new counsel does not enter an appearance by the next scheduled trial date, the action will proceed to trial with the defendant unrepresented by counsel. If the court finds no meritorious reason for the defendant’s request, the court may not permit the discharge of counsel without first informing the defendant that the trial will proceed as scheduled with the defendant unrepresented by counsel if the defendant discharges counsel and does not have new counsel. If the court permits the defendant to discharge counsel, it shall comply with subsections (a)(1)-(4) of this Rule if the docket or file does not reflect prior compliance.

If the court permits the defendant to discharge counsel, Rule 4-215(a)(1) through (a)(4) require the court to:

(1) Make certain that the defendant has received a copy of the charging document containing notice as to the right to counsel.

(2) Inform the defendant of the right to counsel and of the importance of assistance of counsel.

(3) Advise the defendant of the nature of the charges in the charging document, and the allowable penalties, including mandatory penalties, if any.

(4) Conduct a waiver inquiry pursuant to section (b) of this Rule if the defendant indicates a desire to waive counsel.

Rule 4-215(a) requires the clerk to “note compliance with this section in the file or on the docket.”

Rule 4-215 exists to “protect [the] most important fundamental right to the effective assistance of counsel, which is basic to our adversary system of criminal justice.” *Williams v. State*, 435 Md. 474, 485 (2013) (quoting *Parren v. State*, 309 Md. 260, 281 (1987)). The rule “gives practical effect to the [d]efendant’s constitutional choices,” in that it requires the defendant to decide whether to continue with present counsel or proceed without counsel. *Williams v. State*, 321 Md. 266, 273 (1990).

Because Rule 4-215 concerns a fundamental right, we hold trial courts to a high standard when a defendant triggers the rule. “[W]e have held consistently that the requirements of the Rule are mandatory . . . [and] the mandates of [the Rule] require strict compliance.” *Pinkney v. State*, 427 Md. 77, 87 (2012); *see also State v. Weddington*, 457 Md. at 600; *Williams v. State*, 435 Md. at 486; *State v. Hardy*, 415 Md. 612, 621 (2010);

*Broadwater v. State*, 401 Md. at 182; *Johnson v. State*, 355 Md. 420, 446 (1999); *Hargett v. State*, 248 Md. App. 492, 502 (2020). “Thus, a trial court’s departure from the requirements of Rule 4-215 constitutes reversible error.” *Pinkney v. State*, 427 Md. at 88. The lack of “an affirmative showing of prejudice to the accused” does not relieve the appellate court of its obligation to reverse the conviction. *Knox v. State*, 404 Md. at 87 (quoting *Broadwater v. State*, 401 Md. at 182).

Furthermore, Rule 4-215(e) requires a court to give the advice contained in Rule 4-215(a)(3), and “harmless error analysis is inapplicable to a violation of Maryland Rule 4-215(a)(3)[.]” *Moten v. State*, 339 Md. 407, 409 (1995); accord *State v. Camper*, 415 Md. 44, 58 (2010) (“refus[ing] to depart from the rule established in *Moten* . . . that a Rule 4-215(a)(3) violation is not subject to harmless error analysis”); *Brye v. State*, 410 Md. 623, 643-44 (2009) (rejecting the State’s “[q]uasi-harmless error analysis” under Rule 4-215(a)(3), because it “conflicts directly with [the] clear mandate in *Moten*”); *Knox v. State*, 404 Md. at 87 (stating that “[f]ailure to comply with [Rule 4-215(a)(3)] constitutes reversible error” where the defendant had been misadvised of penalty enhancements for subsequent offenders); *Broadwater v. State*, 401 Md. at 182 (holding that “the requirements of Maryland Rule 4-215 are ‘mandatory and must be complied with, irrespective of . . . the lack of an affirmative showing of prejudice to the accused’”) (quoting *Taylor v. State*, 20 Md. App. 404, 409, 411 (1974)); *Parren v. State*, 309 Md. at 282 (rejecting the proposition that the consequences of noncompliance with Rule 4-215(a)(3) can be determined “on an *ad hoc* basis”); *Womack v. State*, 244 Md. App. at

453 (stating that “[v]iolations of [Rule 4-215(a)(3)] are not subject to a harmless error analysis[.]”); *see also Lopez v. State*, 420 Md. 18, 31 (2011) (stating in dicta that, “[w]hen applicable, [Rule 4-215’s] provisions are mandatory, must be strictly complied with, and are not subject to a harmless error analysis[.]”).

“Rule 4-215 imposes requirements that exceed constitutional standards.” *State v. Wischhusen*, 342 Md. 530, 543 n.10 (1996).

A court may dispense with the specific requirements of Rule 4-215(e) only if the defendant asks to discharge counsel after “meaningful trial proceedings” have begun. “[M]eaningful trial proceedings’ commence no later than by the time the court instructs the jury, . . . and after the State begins to present evidence.” *See, e.g., State v. Hardy*, 415 Md. at 625 (citing *State v. Wischhusen*, 342 Md. at 543; *State v. Brown*, 342 Md. at 429). “[M]eaningful trial proceedings’ have *not* commenced . . . before voir dire commences[.]” *Id.* at 625-26 (emphasis in original).

If the defendant asks to discharge counsel after “meaningful trial proceedings” have begun, “[t]he court must conduct an inquiry to assess whether the defendant’s reason for dismissal of counsel justifies any resulting disruption.” *State v. Brown*, 342 Md. at 428; *accord State v. Hardy*, 415 Md. at 628. “The court’s burden in making this inquiry is to provide the defendant the opportunity to explain [the] reasons for making the request; in other words, the court need not do any more than supply the forum in which the defendant may tender this explanation.” *State v. Hardy*, 415 Md. at 628. “If the court provides this opportunity, how to address the request is left almost entirely to the court’s

‘sound discretion.’” *Id.* at 429 (quoting *State v. Brown*, 342 Md. at 426). The court should, however, consider the following factors:

(1) the merit of the reason for discharge; (2) the quality of counsel’s representation prior to the request; (3) the disruptive effect, if any, that discharge would have on the proceedings; (4) the timing of the request; (5) the complexity and stage of the proceedings; and (6) any prior requests by the defendant to discharge counsel.

*State v. Brown*, 342 Md. at 428; accord *State v. Hardy*, 415 Md. at 629; *State v. Campbell*, 385 Md. at 633.

For our purposes, the central events in this appeal occurred on the morning of October 18, 2022, when Mitchell’s case was scheduled for trial. That day, Mitchell appeared with his court-appointed counsel and rejected a plea offer tendered by the State.

After the court informed the parties that a jury pool would not be available until after lunch, Mitchell told the court that he wanted to discharge his defense counsel. He explained that defense counsel had not been in contact with him, had not gone over the case with him, and had not shown him discovery and the pretrial motions.

The court heard from defense counsel. Counsel said that he had little to discuss with Mitchell when they first met and that, since then, he had tried to speak to Mitchell on the telephone, but that Mitchell refused to speak to him. Counsel insisted that he was prepared to try the case, but that Mitchell wanted to hire private counsel.

The court inquired if Mitchell wanted to represent himself or if he was asking for a postponement to hire a private attorney. Mitchell responded that he wanted to hire private counsel.

At this juncture, the court incorrectly concluded that “meaningful trial proceedings” had begun. *See State v. Hardy*, 415 Md. at 625-26 (holding that “‘meaningful trial proceedings’ have *not* commenced . . . before voir dire *commences*”) (emphasis in original). Consequently, the court did not follow the steps dictated by Rule 4-215(e). Instead, the court looked to the factors enumerated in *State v. Brown*, including the defendant’s reason for requesting permission to discharge counsel and the disruptive effect of the request.

Because the court did not follow Rule 4-215(e), it did not make an explicit finding about whether Mitchell had a meritorious reason for discharging his counsel. After reciting Mitchell’s complaints and counsel’s response, the court simply stated: “you two do not communicate and you’re not on the same page.”

The court proceeded to discuss each of the other factors enumerated in *State v. Brown*. In doing so, the court stressed the seriousness of the charges that Mitchell faced, mentioned (and misstated) some of the penalties that he faced, and told him that he would have to represent himself if he did not engage new counsel. In regard to the complexity of the proceedings, a factor relevant under *State v. Brown*, the court said: “[I]t is a serious case, and you are entitled to have representation that you’re most comfortable and feel that that attorney will represent you to the best of what you expect.” At that point, the court permitted Mitchell to discharge his counsel and sent him, without representation, to request a postponement from another judge.

Representing himself, Mitchell appeared before the other judge to request the postponement. The court postponed the proceeding for 26 days, until November 14, 2022. During that time, Mitchell obtained representation from another court-appointed attorney.

Although the court permitted Mitchell to discharge his attorney and allowed him to seek a postponement, all parties correctly agree that the court erred in not following the steps dictated by Rule 4-215(e).

The court did “permit the defendant to explain the reasons for the request,” as required by Rule 4-215(e). It is, however, less than clear that the court took the next step, which is to determine whether the reason for the request was meritorious. Mitchell observes that the court made no express finding. The State responds that the court “implicitly found” that the reason was meritorious, as it may do,<sup>1</sup> because the court allowed Mitchell to discharge his counsel after remarking that Mitchell was entitled to be comfortable with his attorney. We need not resolve this dispute because the State “agrees” in its brief “that it is not clear from the available transcripts, or the docket entries in the record,” that the circuit court “fully complied” with subsections (a)(1) through (a)(3) of Rule 4-215, as Rule 4-215(e) requires it to do when it permits a defendant to discharge counsel.

Rule 4-215(a)(1) requires the court to “[m]ake certain that the defendant has received a copy of the charging document containing notice as to the right to counsel.”

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<sup>1</sup> *Hargett v. State*, 248 Md. App. at 511.

The State concedes that “[t]here is no indication that Mr. Mitchell had a copy of the charging document.”

Rule 4-215(a)(2) requires the court to “[i]nform the defendant of the right to counsel and of the importance of assistance of counsel.” The State concedes that “[t]he court’s discussion of the importance of counsel” was “brief.” More precisely, it was virtually nonexistent. In discussing the complexity of the proceedings—a factor that would have been relevant only if Mitchell requested permission to discharge his attorney after meaningful trial proceedings had begun—the court merely said that Mitchell was entitled to be comfortable with his attorney.

Rule 4-215(a)(3) requires the court to “[a]dvice the defendant of the nature of the charges in the charging document, and the allowable penalties, including mandatory penalties, if any.” The State concedes that the court did not inform Mitchell “of the nature of the charges and the full allowable penalties.” In fact, the State concedes that the court incorrectly advised Mitchell of the penalties for the pellet gun offenses.

Finally, the last sentence of Rule 4-215(a) requires the clerk to “note compliance with this section in the file or on the docket.” The State concedes that “there is no notation in the file related to” compliance with subsections (a)(1) through (a)(3).<sup>2</sup>

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<sup>2</sup> Mitchell argues that the court also failed to comply with Rule 4-215(a)(4), which requires the court to “[c]onduct a waiver inquiry pursuant to [Rule 4-215(b)] if the defendant indicates a desire to waive counsel.” The State responds that Mitchell did not wish to represent himself and thus that he did not indicate a desire to waive his right to counsel. We agree that the court was not required to conduct a waiver inquiry of a defendant who had indicated that he did not wish to waive his right to counsel.

Despite the considerable authority for the proposition that a violation of Rule 4-215 mandates a reversal, and despite the State’s concessions that the court failed to comply with Rule 4-215(e), and specifically with the requirement that it give the advice contained in Rule 4-215(a)(3), the State contends that this Court is not obligated to reverse Mitchell’s convictions. In support of that contention, the State argues that, because Mitchell was “represented by counsel of his choosing at trial,” he was not “deprived of his fundamental right to counsel, the right protected by Rule 4-215[.]” It argues that the court’s “errors were cured prior to trial when Mr. Mitchell obtained a new panel attorney.” It asserts that Mitchell “never had to represent himself, nor did he proceed to trial with an attorney that did not want.” And although the court admittedly failed to inform Mitchell of some of the things that of which it was required to inform him and misinformed him about others, the State contends that “those deficiencies were cured, or rendered moot, by having a trained attorney represent him.” The State postulates that Mitchell’s new attorney “presumably” remedied the court’s errors by providing him “with the charging document and explain[ing] the charges and potential penalties[.]”

As an initial matter, the State is incorrect in stating that Mitchell “never had to represent himself[.]” Mitchell was required to represent himself at the hearing at which he requested a postponement. And he represented himself for approximately three weeks thereafter, until his new attorney entered an appearance. Any number of developments could have affected his case during that time.

In asserting that a violation of Rule 4-215(e) can be “cured,” the State relies on *State v. Womack*, 244 Md. App. 443 (2020). In that case, the circuit court violated Rule 4-215(e) and Rule 4-215(a)(3) because it allowed the defendant to discharge his counsel without informing him of a mandatory minimum penalty. *Id.* at 460. At subsequent hearings, however, the court corrected its error and fully informed the defendant of everything that the rules required the court to disclose. *Id.* at 461-69. The State argued that the court had thereby “cured any initial errors[.]” *Id.* at 469.

In rejecting the State’s argument, this Court stated: “We are not suggesting that, if a trial court fails to strictly comply with Rule 4-215, the error can never be cured.” *Id.* at 470. We added: “It would be illogical to hold that a circuit court that fails to strictly comply with . . . Rule 4-215 . . . prior to a defendant’s discharge of counsel can never remedy that failure, but instead must proceed with a trial that is guaranteed to be reversed on appeal.” *Id.* We construed the rule “to permit a court to ‘cure’ an initial failure to comply . . . with subsequent advice to the defendant after the defendant has discharged counsel, but only if the court gives the defendant a chance to reconsider the discharge of counsel after the full advice is given.” *Id.* at 470-71. Because the court gave the mandatory advice in that case only after the defendant had discharged his attorney, we reversed his convictions. *Id.* at 471.

*Womack* does not save the convictions in this case. Here, the court never gave the full advice required by Rule 4-215(e), and it certainly did not give the full advice before it dismissed Mitchell’s court-appointed counsel. We can only speculate about whether

Mitchell ever received the full advice from someone else, such as his new attorney, at some point thereafter. *Cf. Moten v. State*, 339 Md. at 412 (refusing to presume that “a defendant who discharges counsel has been informed by that counsel of the allowable penalties”). And even if Mitchell had received the full advice from someone else, the authorities suggest that this would not suffice: in *Webb v. State*, 144 Md. App. 729, 742, 745-46 (2002), this Court held that the judge’s failure to inform the defendant of the maximum penalties required an automatic reversal even though the prosecutor had informed the defendant of the maximum penalties in open court (at the trial judge’s express direction).

At bottom, the State’s argument is a variant of the kind of harmless error arguments that Maryland courts have repeatedly rejected in cases involving violations of Rule 4-215(e). Rule 4-215(e), the State argues, “was never compromised to [Mitchell’s] detriment[.]” The focus on “detriment” reveals that the State’s argument is functionally indistinguishable from a claim of harmless error.

In a footnote, the State argues that, if its “argument that the error was cured [is] encompassed” by the holdings that “harmless-error review does not apply to Rule 4-215(e) claims,” we should conclude that “the circumstances of this case warrant an exception to the bar on harmless-error review[.]” This Court does not have the power to create such an exception.

In summary, the circuit court failed to comply with Rule 4-215(e). Even if the failure could be “cured,” it was not “cured” in this case. Harmless error review does not

apply to violations of Rule 4-215(e), especially when the violation includes the failure to advise the defendant of the maximum penalties, as required by Rule 4-215(a)(3).

Consequently, we must reverse the judgments and remand for further proceedings consistent with this opinion.<sup>3</sup>

**JUDGMENTS OF THE CIRCUIT COURT  
FOR BALTIMORE CITY REVERSED.  
CASE REMANDED FOR FURTHER  
PROCEEDINGS CONSISTENT WITH  
THIS OPINION. COSTS TO BE PAID BY  
THE MAYOR AND CITY COUNCIL OF  
BALTIMORE.**

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<sup>3</sup> Because the jury acquitted Mitchell of first- and second-degree attempted murder of Shrewsbury, first-degree assault against Shrewsbury, and first-degree murder of Cantler, the State may not re-try him on those charges. *See, e.g., Giddins v. State*, 393 Md. 1, 18 (2006). Furthermore, because the State did not charge Mitchell with second-degree assault against Shrewsbury, it may not re-try Mitchell on that charge unless it amends the indictment in accordance with Rule 4-204. Finally, if the factfinder convicts Mitchell again on the pellet gun charges, the court must merge the convictions.

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Dissenting Opinion by Raker, J.

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Raker J., dissenting:

I respectfully dissent. I would affirm the judgments of the Circuit Court for Baltimore City and hold, as the State argues, that if the circuit court violated Rule 4-215, those violations were cured or rendered moot by the court granting appellant's request to discharge his counsel, and his obtaining counsel of his choosing to represent him at trial and sentencing.

Appellant's argument that compliance with Rule 4-215 is "necessary to ensure that the defendant knowingly and intelligently waives the right to counsel" is completely inapposite here. Appellant never waived his right to counsel. He always wanted to be represented by counsel, and in fact, was represented by counsel throughout the critical stages of his trial, *i.e.*, at his pre-trial hearing, trial and sentencing.

Appellant received from the circuit court exactly what he asked for—new counsel. And while he may have represented himself for a fleeting moment--when he appeared before the administrative judge to request a continuance--the court granted him the continuance.

The purpose of Rule 4-215 is to protect defendants' right to self-represent and the right to the assistance of counsel. *State v. Davis*, 415 Md. 22, 29-30 (2010). Appellant recognizes that the Maryland Rule provides judges with a roadmap on how to conduct the required waiver inquiry that will safeguard the defendant's constitutional right to counsel with the essential information necessary to make a decision concerning self-representation. Appellant had counsel and, although prejudice for this rule violation is not necessarily the

test, he in no way was prejudiced. Appellant was not deprived of his right to counsel, or to represent himself (which he never desired in this case).

Although there are no cases directly on point establishing that a violation of Rule 4-215 may be cured, there are cases standing for the proposition that the violation of court rules may be cured. For example, in *In Re White*, 458 Md. 60, 67 (2018) the Maryland Court of Appeals, now the Supreme Court, held that although the Commission on Judicial Disabilities violated Md. Rule 18-404(j)(4) when it failed to provide a judge with a copy of the Inquiry Board's report prior to making a probable cause determination, the Commission cured this rule violation by allowing the judge to file a response to the Inquiry Board's report before a subsequent reevaluation of probable cause. In *United States v. Mechanik* 475 U.S. 66 (1986), late in trial in a federal district court, the defense learned that a rule prohibiting witnesses to be present before the grand jury while others were testifying had been violated in the proceedings where the accused was indicted. The defense raised the issue in its post-trial motion after conviction. The United States Supreme Court ultimately held that any error was cured by the conviction.

Although the cases are legion stating that Rule 4-215 requires strict compliance, I have been unable to find one case reversing a conviction of a defendant where the defendant asked a court to discharge his counsel and that request was granted; he was represented by counsel at trial and sentencing; he was afforded a fair and impartial trial, and he suffered absolutely no prejudice. To be clear, this is not a harmless error analysis, which our cases state is not applicable. Any error, if any, was cured or was rendered moot.

Perhaps this case might be a good one for the Supreme Court to revisit Rule 215 and to clarify whether the cases interpreting the rule mean what the majority appears to believe, that is, that every single rule violation requires reversal, no matter the circumstances, the applicability, and the prejudice.

Under the circumstances presented herein, this Court should affirm the judgments of convictions.