

Circuit Court for Prince George's County
Case No. C-16-CR-23-000460

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 669

September Term, 2025

MICHAEL MALACHI FORD

v.

STATE OF MARYLAND

Arthur,
Kehoe, S.,
Beachley, Donald E.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Kehoe, J.

Filed: May 11, 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 persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

On June 24, 2024, Appellant, Michael Malachi Ford (“Mr. Ford”), appeared before the Circuit Court for Prince George’s County on murder and related firearm charges. During the pretrial proceeding, the circuit court denied Mr. Ford’s request for a continuance and his request to discharge counsel. Mr. Ford entered a plea of guilty to second-degree murder and use of a firearm in a crime of violence. After the court denied his motion to withdraw his plea, Mr. Ford received an aggregate sentence of forty years’ incarceration, with all but twenty-five years suspended, with the first five years to be served without the possibility of parole, and five years of supervised probation upon release. Granted leave to appeal, Mr. Ford presents the following rephrased and reorganized questions:¹

1. Did the trial court abuse its discretion in denying the continuance request?
2. Did the trial court err in denying the request to discharge counsel?
3. Did the trial court err in finding his plea voluntary and in denying the request to withdraw guilty plea?

¹ For legal clarity, we have rephrased and reorganized the questions presented, combining two questions as posed into a single issue. Mr. Ford presented the following questions in his brief:

1. Did the trial court abuse its discretion in denying Appellant’s continuance request?
2. Was Appellant’s plea voluntary when, after the trial court failed to provide a remedy to the admitted discovery violation that negated Appellant’s defense, Appellant stated he was pleading guilty by “force of circumstances” and he expressed dissatisfaction with his attorney?
3. Did the trial court violate Rule 2-415 in ruling on Appellant’s request to discharge counsel?
4. Did the trial court abuse its discretion in denying Appellant’s motion to withdraw his plea?

We answer all three questions in the negative, ascertaining no issue with the trial court’s reasoning and rulings for the reasons discussed below. Accordingly, we affirm the judgment of the Circuit Court for Prince George’s County.

I. FACTUAL & PROCEDURAL BACKGROUND

On December 6, 2022, Leon Alphonzo Steadham was shot multiple times in the Capitol Heights area of Prince George’s County, and later passed away from his injuries. The investigation unveiled video evidence of a suspect present in a large black vehicle, a Chevrolet Suburban (“SUV”), in the area prior to the shooting. Surveillance footage captured the sound of two gunshots followed by two additional gunshots in quick succession, prior to the suspect’s fleeing the scene in the SUV. Cell phone records and cell site location data placed Mr. Ford near the location during the time of the shooting, and further investigation determined that Mr. Ford had rented and returned the SUV to a car dealership. On February 7, 2023, Mr. Ford was indicted and charged with first-degree murder in the Circuit Court for Prince George’s County.

On June 24, 2024, prior to the scheduled trial, the circuit court considered pretrial motions. Mr. Ford filed a motion in limine to exclude a second video of the shooting because of the State’s late disclosure. The State had provided the second video to defense counsel one week before the scheduled trial. The recently disclosed video undermined a defense theory that Mr. Ford had intended to use about an alternate shooter being involved. The court found that the new video demonstrated an additional person “leaving the scene shortly after the second set of shots is fired, which would blunt any defense that that person

may have been the probable shooter.” On the actual late disclosure of evidence, the court found “that the State, in some form, had these videos prior to June 17th.” The court ruled on the motion, and explained:

So the Court is going to deny the request to exclude the evidence. However, the Defense believes that it needs a continuance to deal with this new evidence. The Court will certainly allow the Defense to request one from the coordinating judge. I cannot grant a continuance. I can only deny it. If it is a Defense wish to have a continuance, the Court will not deny it and would allow the Defense to request a continuance from the coordinating judge. So that’s the Court’s decision.^[2]

Defense counsel and the State left the courtroom to appear before the coordinating judge, who denied the continuance request, finding that the defendant had failed to show good cause to continue the trial. Back again in the trial courtroom before the trial judge, Mr. Ford requested to discharge his counsel. Mr. Ford identified the basis for his request to discharge counsel as his counsel’s lack of preparation and communication, improper representation and his lack of opportunity to speak or strategize about his defense before trial. The trial judge determined Mr. Ford’s request to discharge counsel was not meritorious and found his attorney competent. The trial judge declined to discharge his counsel. Mr. Ford asked the trial judge for a new continuance to obtain private counsel, which the trial judge declined to consider. Mr. Ford then asked to make his request before the coordinating judge, which the trial judge denied given the previous denied continuance. The trial judge informed Mr. Ford that he could continue without representation at trial,

² “Coordinating judge” appears to be the term used for the administrative judge’s designee. We employ the same term for the sake of consistency.

and Mr. Ford requested and received a moment to speak with counsel. When court resumed, the trial judge denied the request to discharge counsel.

Mr. Ford decided to proceed with the plea deal,³ and a plea colloquy began. The trial judge found that Mr. Ford's plea was knowing and voluntary, and the proceedings concluded. On September 18, 2024, Mr. Ford filed a motion to withdraw his guilty plea. Following a hearing, the circuit court denied the motion on October 18, 2024. On October 25, 2024, Mr. Ford was sentenced by the circuit court to an aggregate sentence of forty years of incarceration, with all but twenty-five years suspended, with the first five years to be served without the possibility of parole, and five years of supervised probation upon release. On November 24, 2024, Mr. Ford filed an application for leave to appeal. Following a response from the Office of Attorney General, Mr. Ford was granted leave to appeal on June 4, 2025.

Additional facts will be included in the discussion as they become relevant.

II. DISCUSSION

A. The Continuance Request

1. Parties' Contentions

Mr. Ford first argues that the parties were sent to request a continuance in lieu of the more severe remedy of excluding the evidence, as requested. Mr. Ford further argues that the continuance request was a remedy to the unfair surprise that impacted defense

³ The State and defense counsel negotiated new terms of the plea agreement during the pre-trial proceedings, which amended Count 1 to second degree murder.

counsel's trial preparation. In Mr. Ford's view, the continuance judge denied the request without considering the sanctions for discovery violations under *Thomas v. State*, 397 Md. 557 (2007). Mr. Ford argues that the coordinating judge's failure to consider the prejudice to defense counsel and denial of the required remedy for a continuance to cure unfairness was an abuse of discretion that warrants reversal.

The State argues that the coordinating judge properly considered the continuance request and circumstances of the discovery dispute as well as the age of the case beyond the *Hicks*⁴ date. The State further argues that even if the circuit court did abuse its discretion in denying the postponement request, Mr. Ford's failure to establish any prejudice by the denial renders reversal inapplicable in this case.

2. Analysis

The grant or refusal of a continuance is well “within the sound discretion of the trial court and will not be set aside on appeal unless the exercise of that discretion has been arbitrary.” *State v. Frazier*, 298 Md. 422, 451 (1984) (citing *Schroder v. State*, 206 Md. 261, 265 (1955)). Therefore, postponement request rulings will only be overturned if there was both an abuse of discretion and a showing of actual prejudice resulting from the ruling. *Id.* at 452 (citing *Pedderson v. State*, 223 Md. 329, 337–38 (1960)). Moreover, a trial court

⁴ Under the rule set forth in *State v. Hicks*, 285 Md. 310 (1979), the *Hicks* date refers to the statutory deadline for criminal cases to commence trial. Failure to commence trial by the revised statutory deadline (180 days) mandates case dismissal with prejudice, unless the court finds good cause shown to postpone trial or the defendant expressly consents to a later trial date. *Jackson v. State*, 485 Md. 1, 12–18 (2023); Md. Code Ann., Crim. Proc. § 6-103.

has “no obligation to grant a motion to postpone even when confronted with a discovery violation.” *Howard v. State*, 440 Md. 427, 444 (2014).

Pivotal to the issue in this case is whether the requested continuance was a remedy to the State’s late disclosure of evidence. After the circuit court denied the motion to exclude the evidence and heard defense counsel’s request for a continuance, the following exchange occurred:

THE COURT: I’m not inclined to keep [the evidence] out is what I’m saying.
[DEFENSE COUNSEL]: I understand. I’m trying to propose another remedy in case we’re moving forward. The Defense would request an instruction to the jury [...] or a directive from the Court that the original form of these videos that was provided was different than [the] video that was later on provided.

THE COURT: Okay.

[DEFENSE COUNSEL]: [...] I still think that ultimately, this all comes down to [...] my defense of the case which has just totally been lambasted at this point. And I mean that genuinely, Your Honor.

[...]

[DEFENSE COUNSEL]: I really feel as though my defense has just been completely bulldozed over at this point and Defense has been preparing for over a year. Aside from that, though, these videos potentially coming in still raises the issue that those videos are cut off and that had I had [an expert witness] testify, they are dewarped, they are manipulated in some way.

THE COURT: You’re certainly [...] free to the extent that you can put on evidence, admissible evidence to prove that. I mean, you certainly can, but that goes more to weight than the admissibility. And, again, they don’t come in until the State gets them in. So what I’m saying is they’re not excluded, but they’re not admitted either at this point.

[...]

THE COURT: Uh-huh. I will say, I mean, I'll reserve on it. But I guess, a forecast for you, I'm not inclined to give that instruction because this is not a situation where-they're not putting something on that existed that was, say, destroyed. So there's no spoliation. But to the extent you have evidence that suggests that the video isn't showing what it purports to show, subject to the State being able to authenticate the videos, you're certainly free to put that on. But I don't know that the remedy that you've offered in terms of that instruction to the jury, I don't know if it's helpful.

[...]

[DEFENSE COUNSEL]: Thank you, Your Honor. After discussing with my client, the Defense maintains our previously raised objections and the request for our previous relief. However, [Defense] accepts the relief given by the Court without waiving our previous objection. And we would like to go to [the coordinating judge] to see whether or not he'll continue the case.

Upon review of the record, the coordinating judge had no obligation to apply an analysis for sanctions for discovery violations when considering the continuance request. To suggest that the continuance request was a promised remedy for the discovery violation is a mischaracterization of the record, particularly given that Mr. Ford first requested the late evidence be excluded, and then proposed the remedy of jury instruction or a court directive. Moreover, the court did not indicate anything more than ambiguity around the proposed remedy of the jury instruction. No support exists for the contention that the continuance was an express remedy acknowledged by the court. Though the circuit court determined that a discovery violation did occur, it declined to impose any sanctions and denied the motion to exclude the evidence. Instead, the circuit court reserved to rule on the proposed jury instruction as the remedy in this case. Rule 4-263 which governs criminal case discovery in the circuit courts authorizes the court to take action to address violations but does not *require* the court to do so. *Thomas*, 397 Md. at 570 (emphasis added). Contrary

to Mr. Ford's claim, nothing in the record reflects that the trial judge intended the continuance as an express remedy to the discovery violation. While the court did not express any opinion in favor or against granting a continuance, it *did* permit counsel to make the request before the coordinating judge. ("The Court will certainly allow the Defense to request [a continuance] from the coordinating judge."). This decision does not reflect an express remedy to the discovery violation, but rather a courtesy within the sound discretion of the trial court. Moreover, the trial judge lacked the authority to grant the continuance in this case, further cutting Mr. Ford's claims. As such, we conclude the continuance request was not a proposed remedy for the discovery violation.

Our consideration now turns to whether the denial of the continuance was proper.

In front of the coordinating judge, the following exchange occurred:

[DEFENSE COUNSEL]: [...] The State made a late disclosure of some crucial video evidence. I made a Motion in Limine to preclude that video evidence. [...] The Judge ruled [...] not to exclude the evidence, but instead to continue the case or offered that as a remedy. And after consulting with my client, we accepted that as a remedy. To be honest, it's not really what we want. But the evidence is not going to be excluded. And so for that reason we are asking for a continuance to be charged to the State. This case was previously continued the first time [...] [a]nd then it was continued at the last trial date [...] And so we've gone past [*Hicks*]. And again, we're ready to go to trial today—

THE COURT: [*Hicks*] was last August.

[DEFENSE COUNSEL]: Yes. I'm not going to belabor the things I said in front of [the trial judge], but I'll just leave it at that.

THE COURT: State, did you hand over discovery after a year?

[THE STATE]: Not after a year I was in the case. But yes, there was some late provided discovery that was provided sometime within the last couple of weeks, last week, I guess. Two days.

[DEFENSE COUNSEL]: So—

THE COURT: So I'm denying the request for a continuance. [...] But this case, again, [*Hicks*] was last August 8th, which means going back 180 days, which means that this case--counsel entered their appearance back in February 2023. And now the parties, or the Defendant [*sic*], is asking me-- I understand why, [...] I'm getting another continuance request. And even if I were to continue it, what date would you be asking me to continue it to?

[DEFENSE COUNSEL]: For me, it would have to be in January, unfortunately.

THE COURT: Of '25.

[DEFENSE COUNSEL]: Yes.

THE COURT: Yeah. No good cause found; request denied.

Upon review of the coordinating judge's determination of no good cause, this case is not a rare exception that warrants reversal. *See Frazier*, 298 Md. at 451 (reasoning criminal trial postponements are "rarely subject to reversal upon review"). Defense counsel failed to argue before the coordinating judge the reason for the requested continuance beyond mentioning the "evidence is not going to be excluded" and requested "for a continuance to be charged to the State." As such, the coordinating judge was limited to determine good cause based on the reasons argued by defense counsel and the age of the case. Compared to this Court or another judge of the trial court, administrative judges are ordinarily in a far better position to determine whether good cause for postponement of a criminal case exists. *Frazier*, 298 Md. at 454. Though Mr. Ford desired a continuance, we

reiterate that “the orderly administration of the courts requires that cases be disposed of with reasonable dispatch.” *Stallard v. State*, 6 Md. App. 560, 562 (1969). Defense counsel failed to argue what, *if any*, *prejudice* the continuance sought to prevent to Mr. Ford. Moreover, we cannot overlook the fact that defense counsel did not argue that a continuance was necessary to prepare a proper defense strategy before the coordinating judge or the trial judge. Instead, defense counsel asked for a continuance of an additional six months, which the coordinating judge denied after considering the two previously granted continuances and the case’s age beyond the 180-day deadline. Under these circumstances, the court appropriately exercised its discretion to deny the motion for continuance.

B. The Motion to Discharge Counsel

1. Parties’ Contentions

Next, Mr. Ford argues that the court made no meaningful inquiry into the reasons for his request to discharge counsel, ignoring his offered reasons of the lack of communication, trial planning and his attorney’s failure to properly represent him. In Mr. Ford’s view, the court’s failure to engage in any “meaningful analysis” of his actual concerns constitutes a violation of Rule 4-215. The State argues that the court properly considered and rejected Mr. Ford’s reasons for wanting to discharge counsel as non-meritorious. In the State’s view, the court properly exercised its discretion under Rule 4-215(e) by informing Mr. Ford of the option to proceed without an attorney and offering him an additional opportunity to confer with his attorney.

2. Analysis

Generally, we review a court's compliance with Rule 4-215(e) *de novo*. *Cousins v. State*, 231 Md. App. 417, 438 (2017) (citing *State v. Graves*, 447 Md. 230, 240 (2016)). Distinct is a trial court's determination that a defendant lacks meritorious reason to discharge counsel, which we review for an abuse of discretion. *Id.* (quoting *State v. Taylor*, 431 Md. 615, 630 (2013)). Rule 4-215(e) governs the court's obligations regarding requests to discharge counsel, and provides in relevant part: "[i]f 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." The Rule protects a "defendant's right to effective assistance of counsel while prohibiting a manipulative defendant from delaying a criminal proceeding by discharging counsel shortly before or during trial." *Biglari v. State*, 156 Md. App. 657, 668 (2004). Regarding unmeritorious requests to discharge counsel, a trial judge may address the request in one of the following three ways: (1) deny the request and if the defendant rejects the right to self-representation and elects to keep their current counsel continue the proceedings; (2) grant the discharge as permitted under the Rule, but require counsel to remain available on a standby basis; or (3) grant the request in accordance with the Rule and relieve counsel of any further obligation. *Williams v. State*, 321 Md. 266, 273 (1990) (citing *Fowlkes v. State*, 311 Md. 586, 605–06 (1988)). When Mr. Ford requested to discharge counsel, the following exchange occurred:

THE COURT: Well, I would say, at this late stage, sir, first of all, I find that your attorney has been more than competent in representing you. What has happened today in terms of evidence that you wanted excluded, not being excluded, I don't view that as a function of any failure on the part of your attorney. You certainly wish to have counsel. You've had more than enough time to obtain private counsel, but also, I have some concerns that this is an attempt to get a continuance that was denied. And so the Court therefore finds that your attorney has done more than a competent job. And, I mean, certainly I'll advise you about your waiver of your rights to counsel, but if you fire your counsel today, you'll have to proceed without an attorney if that's what you wish to do.

[MR. FORD]: Your Honor, my counsel is here to add to what I've been saying, as far as the fact that we haven't had a chance to actually speak or develop a working strategy. And is it possible that you can question [defense counsel]?

THE COURT: No. I don't have any questions for [defense counsel]. I'm just telling you this just appears to me to be--given all that's occurred, this appears to be an attempt to get a continuance that was denied previously by [the coordinating judge]. Now, I will tell you there are great benefits to having an attorney represent you in a serious matter like this. The State's attorney, he's been an attorney for more than 20 years. He's been to law school. He knows the rules of evidence. I don't know what, if any, training that you have, but it certainly would be important for you to have someone to represent you to challenge the State and any evidence that it wishes to put in. I don't know if you are capable of doing such, but it's very important to have an attorney.

[MR. FORD]: Your Honor, I'm asking for seven days, I can acquire a private—

THE COURT: So I don't have the authority to grant you a continuance. So what I'm saying is if you do fire your attorney today, sir, you will have to proceed without counsel.

[MR. FORD]: As a request, I understand that you may not be able to grant a continuance, however, can this matter be brought to the continuance judge?

THE COURT: No, he's already said he's not continuing the case. And so given that, I'm going to deny your request for a continuance. I don't need to

send you to him. So if you want to proceed, do you understand that you have a right to have an attorney?

[MR. FORD]: Yes.

THE COURT: All right. And do you understand how the trial will proceed?

[MR. FORD]: Your Honor, there are several other factors I wish to address to the Court as far as with the attorney.

THE COURT: Sir, if you want to waive your right to an attorney, I'll certainly go over with you how important it is for you to have an attorney. But if you fire [defense counsel], you will be proceeding on your own. And we have to get started.

[MR. FORD]: Can I have a moment with counsel?

THE COURT: It's quarter to 4:00. So we really have to get started. I mean, we've gone back and forth over this. I don't know what--I'll give you five minutes.

[DEFENSE COUNSEL]: Thank you, Your Honor. I appreciate it. Thank you.

The trial court properly complied with the Rule, given its determination of the request. The trial judge allowed Mr. Ford to set forth his reasons as to why he wished to discharge counsel and stated the available options to Mr. Ford regarding his choices and allowed Mr. Ford to make the ultimate decision to proceed forward without counsel. The trial court was more than patient with Mr. Ford, particularly given the various delays that arose with the proceedings. With the court's acknowledgment of the next procedural steps and considering that Mr. Ford received additional time to confer with his attorney, we cannot see how the trial judge violated proper procedure. As such, the trial court properly complied with Rule 4-215(e). Moreover, we are unpersuaded that the trial judge abused his

discretion in determining Mr. Ford's request to discharge counsel lacked merit. Upon returning to the courtroom after the prior continuance request was denied, Mr. Ford moved to discharge his counsel. While Mr. Ford did make a new request for a continuance now and newly based on time to obtain private counsel, the trial judge heard Mr. Ford's reasons for wanting to discharge counsel before stating his concern that this request was "an attempt to get a continuance that was denied." While Mr. Ford maintains that the trial judge improperly considered reasons not stated, we emphasize "at some point, unless the defendant can show a meritorious reason for the discharge of current counsel, the appointment of substitute counsel is simply not an option available to the defendant." *Fowlkes*, 311 Md. at 605–06. Considering the reasons offered by Mr. Ford and the timing of the request in this case, the trial judge properly used its discretion in determining Mr. Ford's request to discharge counsel as not meritorious.

C. The Plea and Motion to Withdraw Plea

1. Parties' Contentions

Mr. Ford lastly argues that his guilty plea was not voluntary, considering the coercive position of having to choose between starting trial without the previous planned defense of his attorney or to accept the plea deal offer. Mr. Ford argues that his choices should not have been limited to trial without a remedy for the discovery violation or to acquiesce to a plea deal he did not wish to take. Mr. Ford further argues that the trial court erred in denying the motion to withdraw the plea, largely by renewing his argument on the denials of the continuance and discharge of counsel requests.

The State argues that the trial court properly engaged in a thorough plea colloquy with Mr. Ford, as it ensured that Mr. Ford was fully advised of the plea agreement, his right to a jury trial and informed of his rights waived by proceeding with a guilty plea. The State argues that Mr. Ford raises no issue about the substance of the plea colloquy, instead challenging his denial of a continuance and opportunity to obtain private counsel as the “coercive” circumstances surrounding his guilty plea. The State argues that the trial court properly denied the motion to withdraw the plea, as the request was not made in the interests of justice.

2. Analysis

We review the voluntariness of a plea deal as an individualized determination, considering the relevant circumstances in their totality as disclosed by the record, including the complexity of the charge, the accused’s personal characteristics, and the factual basis proffered to support the court’s acceptance of the plea. *See State v. Priet*, 289 Md. 267, 288 (1981) (citing *Brady v. United States*, 397 U.S. 742, 747 (1970)). Plea deals are not voluntary when obtained “through coercion, terror, inducements or threats, subtle or blatant.” *Barnes v. State*, 70 Md. App. 694, 707 (1987) (quoting *State v. Brazle*, 296 Md. 375, 382 (1983)). After a plea has been accepted but before the sentence is imposed, whether to grant a request to withdraw the plea is within the sole discretion of the trial judge. *Dawson v. State*, 172 Md. App. 633, 639 (2007) (citing *Harris v. State*, 299 Md. 511, 515 (1984)). Therefore, absent an abuse of discretion, a trial judge’s decision

regarding a motion to withdraw a guilty plea will not be overturned. *Fontana v. State*, 42 Md. App. 203, 205 (1979) (quoting *Palacorolle v. State*, 239 Md. 416, 420 (1965)).

At the plea colloquy, the following exchange occurred:

THE COURT: Mr. Ford, it's my understanding that you wish to enter guilty pleas to amended Count 1, second degree murder, and Count 2, use of a firearm in a crime of violence; is that correct?

[MR. FORD]: By force of circumstances, yes. Yes.

THE COURT: Are you currently under the influence of any medication, drugs, or alcohol?

[MR. FORD]: No.

THE COURT: Are you suffering from any mental or physical problem that would impair your ability to understand what's happening here today?

[MR. FORD]: No.

THE COURT: Do you understand that if you're on parole or probation for any other case, entering a guilty plea in this matter could have an adverse effect on your status in those other cases?

[MR. FORD]: Yes.

THE COURT: Do you understand that if you are not a citizen of the United States, entering a guilty plea could have an adverse effect on your immigration status, and you could be deported from this country and barred from reentering?

[MR. FORD]: Yes.

THE COURT: Do you fully understand the charges of second degree murder and use of a firearm in a crime of violence?

[MR. FORD]: Yes.

THE COURT: Do you know that you have an absolute right to plead not guilty and to have a trial?

[MR. FORD]: Yes.

THE COURT: Do you understand that the trial can be before a jury of 12 persons or before a judge without a jury?

[MR. FORD]: Yes.

THE COURT: If you were to have a jury trial, 12 persons would be chosen to sit as a jury, and you would help to select those 12 individuals. Once the jury is selected, the State would have the burden of producing evidence against you. After hearing all of the evidence, all 12 members of the jury would have to be convinced beyond a reasonable doubt of your guilt in order for you to be convicted. Do you understand that?

[MR. FORD]: Yes.

THE COURT: On the other hand, if you decided to have a trial without a jury, again, the State would have the burden of producing evidence against you. After hearing all of the evidence, the Judge would have to be convinced beyond a reasonable doubt of your guilt in order for you to be convicted. Do you understand that?

[MR. FORD]: Yes.

THE COURT: By pleading guilty, you are giving up your right to a trial by jury, your right to a trial by the Court without a jury, your right to confront and cross-examine your accusers, your right to call witnesses to testify on your behalf, your right to use the subpoena power of the court to secure witnesses and/or evidence for you, your right to testify on your own behalf, and your right to remain silent, that is to not testify, in which event neither the jury nor the Judge could use your silence as evidence of guilt. Do you understand that?

[MR. FORD]: Yes.

THE COURT: Do you understand each of those rights I just recited?

[MR. FORD]: Yes.

THE COURT: Do you give up each of those rights?

[MR. FORD]: Yes.

THE COURT: I further advise you that if I do accept your guilty plea, you lose your automatic right to appeal the conviction. If I impose a judgment of conviction after the guilty plea, you have 30 days in which to apply to the Appellate Court of Maryland for leave to appeal. If that Court were to grant your application for leave to appeal, the only points you could raise would be whether this court has jurisdiction, whether the sentence is legal, and whether your plea is voluntary and whether your attorney was competent. Do you understand what I just explained to you?

[MR. FORD]: Yes.

THE COURT: Do you understand that you're giving up your right of automatic appeal?

[MR. FORD]: Yes.

THE COURT: Before I can accept your guilty plea, I must be satisfied that there is a sufficient factual basis for it. The State will now recite the evidence that would be produced at trial.

[...]

THE COURT: All right. Mr. Ford, are you fully satisfied with the services of your attorney?

[MR. FORD]: I raised my concerns earlier. However, due to my accepting of the plea, I understand that I have relinquished those rights.

THE COURT: Are you fully satisfied with the services of your attorney?

[MR. FORD]: On the record, I would like to state no.

THE COURT: All right. Has anyone threatened you in any manner to cause you to enter this plea today?

[MR. FORD]: No.

THE COURT: A few moments ago we stated on the record the terms of the plea agreement in this case. Is that your full understanding of the plea agreement?

[MR. FORD]: Yes.

THE COURT: Do you have any questions about the agreement?

[MR. FORD]: No.

THE COURT: Other than the plea agreement, have any promises been made to cause you to enter this plea?

[MR. FORD]: No.

THE COURT: Do you understand that if you are unhappy with the sentence that may be imposed, that does not give you the automatic right to withdraw this plea? Do you understand that?

[MR. FORD]: Yes, I understand that.

THE COURT: All right. Knowing everything that I've explained to you today, do you still wish to enter this plea?

[MR. FORD]: Yes.

THE COURT: The Court is satisfied that the State has provided an adequate factual basis for me to accept your plea. I find that your plea is given freely, voluntarily, and understandingly. The Court accepts your plea and finds you guilty of amended Count 1, second degree murder, and Count 2, use of a firearm in a crime of violence.

Considering the totality of circumstances, Mr. Ford's plea was properly determined as voluntary. With Mr. Ford's motion for continuance and motion to withdraw counsel denied, the circuit court was moving forward with the case and gave Mr. Ford time to consider his options. While the circumstances do not reflect that Mr. Ford was enthusiastic about his decision to either accept a plea deal or proceed to trial, Mr. Ford's selection between the proverbial rock and a hard place in itself does not render his plea invalid. Defendants in steadily approaching criminal trials are not faced with an unbridled horizon

of options to stall the inevitable. Though Mr. Ford voiced displeasure with the services of his attorney, the record does not reflect any additional circumstances or improper threats, duress, or force that would render his plea unknowing and not voluntary.

Notably, Mr. Ford does not challenge nor argue that the underlying terms or content of his plea deal are unfair or coercive. Indeed, as part of the plea agreement, the State amended the first-degree murder count to second-degree murder. Mr. Ford's main issue lies with the denied continuance requests, which we have previously addressed above. While sympathetic to the hard decision defendants face in electing to either proceed to trial or to accept a plea deal, we emphasize that this decision alone has never been defined as "coercive" circumstances that render a guilty plea not voluntary. As such, we conclude the circuit court properly determined Mr. Ford's plea deal as voluntary. Since the plea deal was voluntary, the circuit court did not abuse its discretion in denying the motion to withdraw plea following its hearing on the matter.

III. CONCLUSION

We conclude that the circuit court did not err in denying the continuance request, as the continuance was not a remedy to the State's late disclosure of evidence. Considering that defense counsel failed to argue why the continuance was necessary before the coordinating judge, the circuit court properly considered the age of the case and the two previous continuances before denying the request without abusing its discretion. We conclude that the circuit court properly complied with Rule 4-215, having determined Mr. Ford's request to discharge counsel non-meritorious and informing him of his options to

proceed. We lastly conclude that the circuit court properly determined Mr. Ford's plea deal as voluntary and therefore did not abuse its discretion in denying the motion to withdraw plea.

**JUDGMENT OF THE CIRCUIT COURT FOR
PRINCE GEORGE'S COUNTY AFFIRMED.
APPELLANT TO PAY COSTS.**