

Circuit Court for Prince George's County
Case No. CT220998X

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 784

September Term, 2025

JIAIAH ANSU KAIKAI

v.

STATE OF MARYLAND

Nazarian,
Leahy,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 22, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Following a jury trial in the Circuit Court for Prince George’s County, at which he represented himself, Jaiah Ansu Kaikai, appellant, was convicted of second-degree rape, fourth-degree sexual offense, second-degree assault, and child sexual abuse. Appellant raises a single issue on appeal: whether the court violated Maryland Rule 4-215 when it permitted him to discharge his appointed counsel prior to trial. The State concedes that the court did not fully comply with Rule 4-215 and, therefore, that reversal is required. For the reasons that follow, we shall reverse the judgments of the circuit court.

Defense counsel entered an appearance on May 25, 2023. On February 3, 2025, appellant filed a motion for a continuance and requested his attorney’s “removal as my counsel.” The next day his appointed counsel filed a motion to withdraw. At a February 7, 2025, hearing, the court heard from appellant regarding his request to discharge counsel, found that there was no meritorious reason for appellant to discharge counsel, and struck the appearance of counsel. Thereafter, it denied appellant’s motion to continue. The court did not advise appellant regarding the nature of the charges or the potential penalties for those offenses at that hearing. Four days later appellant proceeded to trial *pro se*.

On appeal, appellant contends that the court erred in failing to comply with the requirements of Maryland Rule 4-215 prior to allowing him to discharge counsel. The State agrees that, at a minimum, the court failed to comply with the requirements of subsection (a)(3), as do we.

Maryland Rule 4-215(e) outlines the procedures a court must follow when a defendant desires to discharge his counsel to proceed *pro se* or to substitute counsel. Specifically, the Rule provides:

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.

Md. Rule 4-215(e).

Maryland Rule 4-215(a), which is embodied in Rule 4-215(e), “implements the constitutional mandates for waiver of counsel, detailing a specific procedure that must be followed by the trial court in order for there to be a knowing and intelligent waiver.” *Richardson v. State*, 381 Md. 348, 367 (2004) (quotation marks and citations omitted). Under that Rule, before the defendant can discharge counsel, the court must ensure that the defendant has received a copy of the charging document; inform the defendant of his right to counsel and the importance of counsel; and advise the defendant of the nature of the charges and the allowable penalties. Md. Rule 4-215(a)(1)-(3).

The Supreme Court has stated that “the Maryland Rules are precise rubrics” and that “the mandates of Rule 4-215 require strict compliance.” *Pinkney v. State*, 427 Md. 77, 87 (2012). “Thus, a trial court’s departure from the requirements of Rule 4-215 constitutes reversible error.” *Id.* at 88. We review a trial court’s interpretation and implementation of Rule 4-215 *de novo*. *Id.*

When the court permitted appellant to discharge counsel on the morning of trial, it did not advise him of the nature of the charges or the allowable penalties as to any of the charges he was facing. And although compliance with Rule 4-215 may be effectuated by the circuit court during different proceedings, the record does not reflect that appellant received those advisements at any other time while his case was pending in the circuit court.¹ Because compliance with Rule 4-215 is mandatory, appellant’s convictions must therefore be reversed.²

**JUDGMENTS OF THE CIRCUIT
COURT FOR PRINCE GEORGE’S
COUNTY REVERSED. COSTS TO
BE PAID BY PRINCE GEORGE’S
COUNTY.**

¹ Notably, the hearing sheet accompanying appellant’s first appearance on March 31, 2023, states that the “court has fully complied with Rule 4-215.” However, a review of the transcript from that hearing demonstrates that the court did not provide the advice required by Rule 4-215(a)(3).

² Because we hold that the court failed to comply with Maryland Rule 4-215(a)(3), we do not address appellant’s remaining claims regarding the court’s failure to comply with other provisions of Rule 4-215.