

Circuit Court for Anne Arundel County
Case No. C-02-CR-25-000176

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1273

September Term, 2025

ALPHA IBRAHIM B MANSARAY

v.

STATE OF MARYLAND

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

JJ.

PER CURIAM

Filed: June 26, 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.

Convicted by a jury in the Circuit Court for Anne Arundel County of possession of cocaine, fentanyl, and oxycodone with intent to distribute, firearm offenses, and related offenses, Alpha Ibrahim B Mansaray, appellant, presents for our review three issues: whether the court erred “in discharging defense counsel and permitting [Mr.] Mansaray to proceed to trial *pro se*,” whether the court erred in “removing [Mr.] Mansaray from the courtroom during trial[] and . . . failing to inform [him] that he could return,” and whether the court erred “in its communications to the jury.” For the reasons that follow, we shall respond to Mr. Mansaray’s second contention in the affirmative, and accordingly, we shall reverse the judgments of the circuit court and remand the case for a new trial.

On February 7, 2025, Mr. Mansaray was charged by indictment. On February 13, 2025, defense counsel entered his appearance. On July 25, 2025, Mr. Mansaray filed with the court a “notice” in which he stated that defense counsel “is discharged from this matter.” On September 24, 2025, the parties appeared for trial. Defense counsel informed the court that Mr. Mansaray had “filed a *pro se* motion asking to handle this matter on his own, asking that [counsel] be discharge[d].” Following a hearing, the court discharged defense counsel, and trial commenced.

On the second day of trial, the court noted for the record that Mr. Mansaray was present. Mr. Mansaray subsequently and repeatedly asked the court whether it was “referring to the natural . . . living, breathing man” and “would . . . be upholding [its] sworn oath of office.” Repeatedly interrupting the court, Mr. Mansaray declared himself “the beneficiary of the estate,” “appointed” the court, “clerk of court,” and prosecutor as his “trustees,” asked the court to address “all of [his] filings,” “affidavits,” “motions,” and

“declarations,” and asked the court to “establish jurisdiction.” Following a recess, Mr. Mansaray resumed interrupting the court and asking whether it was referring to “[t]he natural, living, breathing man or . . . a corporation or some type of entity,” would “be upholding [its] sworn oath of office,” would “inform [Mr. Mansaray] of the nature of this case,” and was “willfully violating [its] oath of office in this proceeding by failing to inform [Mr. Mansaray] of the nature of the accusation.” During the subsequent colloquy, which comprises approximately six pages of transcript, the court repeatedly instructed Mr. Mansaray to “[s]it down and stop speaking,” but he refused to do so. The court subsequently ordered the bailiff to “take [Mr. Mansaray] back downstairs,” and stated: “I am making a finding . . . that Mr. Mansaray is so disruptive to this proceeding that we cannot continue with him here. So I’m going to have him appear remotely from the lockup.”

Following a recess, the court stated: “I will make a finding for the record that Mr. Mansaray is now in Courtroom 3F so that he can watch this proceeding and hear everything that we are talking about. When the [c]ourt needs to hear from Mr. Mansaray, we will either unmute him or have him brought over to this courtroom.” Mr. Mansaray remained in the separate courtroom through the conclusion of trial.

Mr. Mansaray contends that the court erred in “removing [him] from the courtroom during trial[] and . . . failing to inform [him] that he could return.” The State agrees that the court erred in failing to “advise Mr. Mansaray . . . that he could return on a promise of good behavior,” and “to give him an opportunity to return to the courtroom before the conclusion of closing arguments.” We agree with the State. It is true that a “trial judge

confronted with a difficult defendant can . . . take him out of the courtroom until he promises to conduct himself properly.” *Biglari v. State*, 156 Md. App. 657, 671 (2004) (internal citation, quotations, and emphasis omitted). “When the trial court selects [this] option, however, the defendant who is removed from the courtroom must be advised of the opportunity to return upon a promise to behave.” *Id.* (citations omitted). While it is “not require[d] that a disruptive defendant be given the opportunity to return every time a different witness is called to testify, or every time there is a recess in the proceedings,” the “defendant should be given the opportunity to return whenever a particular phase of the proceedings has concluded (e.g. the State’s case-in-chief) and a new phase is about to begin.” *Id.* at 674 n.7.

Here, the court, upon removal of Mr. Mansaray from the courtroom, did not advise him of the opportunity to return to the courtroom upon a promise to behave. The court also did not give Mr. Mansaray the opportunity to return upon the conclusion of the subsequent phases of trial. The court erred in failing to so advise Mr. Mansaray and give him such opportunities, and hence, we reverse the judgments of the circuit court and remand the case for a new trial.¹

**JUDGMENTS REVERSED. CASE
REMANDED TO THE CIRCUIT COURT
FOR ANNE ARUNDEL COUNTY FOR
FURTHER PROCEEDINGS CONSISTENT
WITH THIS OPINION. COSTS TO BE
PAID BY ANNE ARUNDEL COUNTY.**

¹Because we reverse the judgments of the circuit court based on Mr. Mansaray’s second claim, we need not address his first and third claims.