

Circuit Court for Montgomery County
Case No. 124345C

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1498

September Term, 2025

KENNETH ADOLPHUS HINTON

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.

Kenneth Adolphus Hinton, appellant, appeals from the denial, by the Circuit Court for Montgomery County, of a petition for writ of mandamus. For the reasons that follow, we shall affirm the judgment of the circuit court.

“Following an August 2015 jury trial in the circuit court, Mr. Hinton, . . . representing himself, was convicted of theft scheme of at least \$1,000 but less than \$10,000 and 26 counts of perjury by affidavit.” *Hinton v. State*, No. 134, Sept. Term 2024 (filed January 14, 2025), slip op. at 1 (internal citation, quotations, and brackets omitted). “On November 12, 2015, the court sentenced Mr. Hinton to a total term of imprisonment of sixty years for the convictions of perjury, and a consecutive term of imprisonment of ten years for the conviction of theft scheme, for a total term of imprisonment of seventy years.” *Id.*

On September 18, 2024, Mr. Hinton filed in the District Court for Baltimore City a complaint against Public Defender Natasha M. Dartigue and a co-defendant. In the complaint, Mr. Hinton contended that the defendants had failed “to provide to him disclosable copies for inspection, review, and evaluation the case/work file document/records, pre-trial, trial, and post-trial records that pertain[] to [his] criminal case[s]” in the Circuit Court for Montgomery County. The defendants moved to dismiss the complaint. On November 12, 2024, the district court granted the motion.

On November 25, 2024, Mr. Hinton filed a notice of appeal. The case was subsequently transferred to the Circuit Court for Baltimore City. The defendants again moved to dismiss the complaint. On February 7, 2025, the circuit court held a hearing on

the motion. On April 9, 2025, the court issued an opinion in which it granted the motion, stating in pertinent part:

Here, the [Office of the Public Defender (“OPD”)] conducted a thorough search for the records that Plaintiff seeks. The State Records Management Center, where OPD files are kept, could not locate the files; the OPD office in Rockville could not find them either. Still, OPD provided Plaintiff with other documents it has been able to locate. Plaintiff was provided a thorough explanation in two letters dated February 2, 2024, and March 26, 2024, which were admitted into evidence.

This court heard testimony from Tammy Jarnigan, an Office Manager and Director of Administration to the OPD in Montgomery County. She personally searched the office, including every desk and file, but did not find the papers requested by Plaintiff. She described the process and practice of boxing closed files for archival in the Hall of Records. OPD requested the entire file from the Hall of Records, but the box that should have contained the papers in question, did not. This court credits the testimony of Ms. Jarnigan that she, and the OPD went above and beyond to locate the documents requested by Plaintiff.

Plaintiff has not alleged any specific facts that would prove that the search was not conducted in good faith, as required by the [Maryland Public Information Act] or Maryland case law.

On June 16, 2025, Mr. Hinton filed in the Circuit Court for Montgomery County the petition for writ of mandamus, in which he asked the court to “compel . . . OPD [to] produce, re-produce, re-construct[,] and zealously provide to [him] the disclosable discovery documents and records that he has diligently sought . . . per his . . . MPIA . . . records requests.” The court denied the petition.

Mr. Hinton contends that, for numerous reasons, the court erred in denying the petition. But, Mr. Hinton does not specify any evidence contrary to the conclusions of the Circuit Court for Baltimore City that multiple individuals and entities attempted in good

faith to locate the material sought by Mr. Hinton, and that the material could not be located.

In light of these circumstances, the court did not err in denying the petition.

**JUDGMENT OF THE CIRCUIT COURT
FOR MONTGOMERY COUNTY
AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**