

Upper Marlboro, MD
District Court Trial Session
October 21, 2022

This morning we were in District Courtroom 262, where 7 people were charged. Of these, four had their cases continued, one was indicted, there was one guilty plea, and one had a bench warrant issued. The panel public defender was Chris Peretti, the ASA was Alexis Abbey, and the judge was Robert W. Heffon, Jr.

This was an unusually light docket, and we are not sure why. Cases involving weapon seizures are being indicted at a higher rate, apparently, which accounts for some of this reduction. No cases today involved what we call "traffic/gun stops." Today's cases were all in the arena of assault, trespass, or theft.

There was another apology in court today. This one involved Mr. D. He is white and pled guilty to a charge of assault. His sentence was 60 days suspended, 2 years of supervised probation, 40 hours of community service, anger management classes, and a fine of \$500. On top of that, his attorney said, he would issue a "public apology." But Mr. D merely issued his apology while looking forward at the judge and uttered it in the manner of apologizing, more or less, to the universe. I wanted to know what was behind this apology, and spoke to his attorney, Melissa Miller, afterward. She said the incident was an auto accident involving Mr. D and an elderly white man after which both got out of their cars and had some kind of altercation which ended with Mr. D spraying the other man with some substance. I had seen the complainant, who walks with a cane, in the courtroom, and defense attorney Miller said that he was "bitter" about the incident and the apology was at his behest.

Ms. E had a number of charges, some dating from over a year ago. She was not present. Her attorney, Andrea Jones, said that her client had a medical appointment at Johns Hopkins this morning. Judge Heffron said that she has repeatedly missed court appointments set well in advance on the grounds of medical appointments, and that today's date had been set with the stipulation that, if absent, she produce written evidence of medical needs. She had not done so today. Five or six complainants were in the courtroom for this case, and Heffron sounded a bit incensed at another failure to appear. But, mid-way through what first seemed headed toward a rant, he recollected himself and said he would issue a bench warrant, telling Attorney Jones that if her client showed proof of a valid medical reason not to be present this morning, he would withdraw the warrant and re-set the case.

Mr. F was one of the first to be called but he was not there and PD Peretti said he had no "representation" for Mr. F. There was a witness in the courtroom, Officer Goodman, so Judge Heffron issued a bench warrant for Mr. F. This was Attorney Peretti's only case; along

with Officer Goodman he left the courtroom and did not return. About an hour later, Mr. F came into the courtroom. Judge Heffron noted that neither Attorney Peretti nor Officer Goodman was present, but said he was willing to recall the case if Attorney Peretti could be brought back in. Attorney Andrea Jones was in the courtroom, having just represented Ms. E, and quickly offered to represent Mr. F. Without any grandstanding, Judge Heffron withdrew the bench warrant, re-set the case, and wished Mr. F well. So it can be done, just like that. Every time a judge refuses to withdraw bench warrants in similar cases, we will make note of that.