

Upper Marlboro, MD
District Court Trial Session
November 4, 2022

This morning, there were 15 trial cases in Room 262B. Nine were nolle prossed and six continued. The public defender was Charles Moore, the ASA was Enoch Bevel, and the judge was Stacey Maria Cobb Smith.

We learned that the dockets in 262B are lighter right now because of the changes being made to the system, and that when people are more familiar with the new system the docket will balloon again. There was an unusually long line at the back entrance to the court where most people enter. (We came in at the front, where there was no line.) It took over half an hour to get through the back entrance, so a number of people in the first docket were late. In each case, Judge Cobb Smith issued a bench warrant, but she canceled it if the person showed up and then either heard the case or (if the witness had left) continued it. Even attorneys can have a hard time finding where they need to go in the courthouse. I ran into one private attorney in the hallway, out of breath and a bit frantic. She had been sent to 262B for a bond hearing (262B has trials) and had been told that Judge Heffron was there. Not so. So off she went.

In the case of Mr. M, ASA Bevel asked for a continuance because they were just now getting the discovery (for an incident on July 7). Mr. M, who had no priors, had been confined in home detention, and PD Moore asked that if the case were continued, Mr. M be given a bond review that would get rid of the ankle monitor. Judge Cobb Smith immediately gave him an unsecured bond of \$5000. (On case search, Mr. M was listed as HWOB, though he was in home detention. PD Moore told me that he believed that eventually Case Search records would distinguish between HWOB and home detention.)

PD Moore said that Mr. N was not present because he had been exposed to Covid and was awaiting the results of a test. ASA Bevel said, "since Covid is only suspected, that is not a reason to be absent," and asked for a bench warrant. Judge Cobb Smith replied, "Moore is right – it is better not to call suspected Covid cases," and ordered the case continued.

The case of Mr. P seemed unusual. He has been incarcerated since July 8, and was denied bail on those charges ever since. Today, Defense Attorney Mooney told the judge that he had requested discovery on these charges in July, but the state had produced nothing. ASA Bevel said that he just learned that a subpoena had to be sent to DC to get the evidence and they were going to do that now. He asked for a continuance. The judge denied that request and ASA Bevel immediately nolle prossed the case. This seemed like a case we might want to look into,

so I asked ASA Bevel about it afterward, to gauge how he saw it. He told me that Mr. P was being held on other charges of murder (Case Search confirms this), and even though this charge was nolle prossed he would continue to be held.