

COURT OF APPEALS OF MARYLAND

State of Maryland v. Robert Clifford Weddington, 457 Md. 589

179 A.3d 1028 (2018) · No. No. 52, September Term, 2017 · Decided February 21, 2018

SUMMARY

The Maryland Court of Appeals held that two letters expressing Robert Weddington's dissatisfaction with appointed counsel triggered Maryland Rule 4-215(e), even though the trial judge did not become aware of the letters until after trial. The court further held that Weddington did not waive his right to request discharge of counsel by failing to repeat his request orally or in open court, and that post-trial hearings did not cure the violation.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	Greene, J.; Barbera, C.J.; Adkins, J.; McDonald, J.; Watts, J.; Hotten, J.; Getty, J.
JURISDICTION	Maryland
DECIDED	February 21, 2018
DOCKET	No. 52, September Term, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State petitioned for certiorari after the Court of Special Appeals reversed and vacated Weddington's convictions, holding that the Circuit Court violated Maryland Rule 4-215(e) by failing to conduct a timely hearing on his written requests to discharge counsel.
STANDARD OF REVIEW	Interpretation of the Maryland Rules is reviewed as a question of law, and compliance with Maryland Rule 4-215(e) is reviewed de novo.
PRECEDENTIAL VALUE	Published precedential opinion of the Maryland Court of Appeals
PARTIES	State of Maryland v. Robert Clifford Weddington

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Weddington's letters expressing dissatisfaction with counsel triggered Maryland Rule 4-215(e) when the Circuit Court clerk's office received them before trial but the trial judge did not become aware of them until after trial.
2. Whether Weddington waived his Rule 4-215(e) request by failing to repeat his dissatisfaction orally or in open court before or during trial.
3. Whether post-trial Rule 4-215(e) hearings rendered harmless the Circuit Court's failure to conduct a timely pretrial inquiry.

HOLDINGS

1. Weddington's November 24 and January 20 letters were clear requests to discharge counsel and triggered Maryland Rule 4-215(e) when they were received and handled by the Circuit Court before trial.
2. Weddington did not waive his Rule 4-215(e) request by failing to bring the letters or his dissatisfaction orally or in open court to the trial judge before or during trial.
3. The post-trial hearings did not cure the Circuit Court's failure to conduct a timely Rule 4-215(e) inquiry, and the violation constituted reversible error requiring new trials.

KEY QUOTATIONS

“Due to the nature of the rights protected, Rule 4-215(e) requires “strict compliance” with its mandates.” (at 9)

“We again reject the State’s insistence that a defendant has waived his request to discharge counsel, pursuant to Rule 4-215(e), when he fails to bring that request orally or in open court.” (at 13-14)

“A post-trial ruling on defendant’s reasons for his request cannot cure a violation of the Rule.” (at 15)

FACTUAL BACKGROUND

Weddington, charged with sexual offenses involving two minors, was represented by a public defender. Before trial, he sent letters to the Circuit Court repeatedly expressing dissatisfaction with counsel, alleging inadequate investigation, failure to obtain potentially exculpatory information, and unwillingness to assist him. The court's criminal department date-stamped and handled the letters, but the trial court did not conduct a Rule 4-215(e) inquiry until after Weddington had been tried and convicted.

PROCEDURAL HISTORY

Weddington was convicted by separate juries of sexual abuse and related offenses in two Circuit Court for Baltimore County cases. The Circuit Court conducted Rule 4-215(e) hearings only after trial and denied his request to discharge counsel and his motion for a new trial. The Court of Special Appeals reversed and remanded for new trials. The Court of Appeals affirmed that judgment.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The judgment of the Court of Special Appeals, which vacated the Circuit Court judgments and remanded for new trials, was affirmed.

CASES CITED

- Williams v. State, 435 Md. 474, 79 A.3d 931 (2013)
- State v. Graves, 447 Md. 230, 135 A.3d 376 (2016)
- State v. Northam, 421 Md. 195, 26 A.3d 344 (2011)
- Gambrill v. State, 437 Md. 292, 85 A.3d 856 (2014)
- Taylor v. State, 431 Md. 615, 66 A.3d 698 (2013)
- Denicolis v. State, 378 Md. 646, 837 A.2d 944 (2003)
- Parren v. State, 309 Md. 260, 523 A.2d 597 (1987)
- Lopez v. State, 420 Md. 18, 20 A.3d 812 (2011)
- Williams v. State, 321 Md. 266, 582 A.2d 803 (1990)
- Mitchell v. State, 337 Md. 509, 654 A.2d 1309 (1995)
- White v. State, 23 Md. App. 151, 326 A.2d 219 (1974)