

IN THE COURT OF APPEALS OF MARYLAND

No. 54

September Term, 2008

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Quinton Richmond, et al.

v.

District Court of Maryland, et al.

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Bell, C.J.  
Harrell  
Battaglia  
Greene  
Murphy  
Adkins  
Barbera

JJ.

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PER CURIAM ORDER

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Filed: March 5, 2010

QUINTON RICHMOND, et al.

\* IN THE

\* COURT OF APPEALS

v.

\* OF MARYLAND

\* No. 54

DISTRICT COURT OF MARYLAND,  
et al.

\* September Term, 2008

\*\*\*\*\*

PER CURIAM ORDER

The Appellants in this case have sought a declaratory judgment that they and the class of indigent persons they represent have the right to be represented by the Public Defender during an initial appearance before a District Court Commissioner. The Appellants have not, however, joined the Public Defender as a party. Under these circumstances, the Circuit Court should have dismissed the Complaint pursuant to Md. Rule 2-211(a). Although the parties have agreed that the issues presented in this case satisfy the prerequisites of Md. Rule 2-231, the Circuit Court should not have accepted that agreement before the Public Defender had the opportunity to be heard on the issue of whether this case should be maintained as a class action, as well as on the issue of whether the Public Defender is obligated to represent an indigent defendant during his or her initial appearance before a District Court Commissioner. It is therefore, this 5<sup>th</sup> day of March, 2010, by the Court of Appeals of Maryland, a majority concurring:

ORDERED that the judgment of the Circuit Court be and is hereby VACATED; and  
it is further

