

FEB 18 2022

## To The Court of Appeals of Maryland

Suzanne C. Johnson, Clerk  
Court of Appeals  
of Maryland

I, David Whitney, am a registered voter in the State of Maryland. I contend that the 2022 legislative districting plan voted on by the General Assembly is invalid as it clearly violates Article III, § 4 of the Constitution of Maryland which states:

“Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

I live in Cape St. Claire on the Broadneck Peninsula between the Magothy and the Severn Rivers. My current State Legislative district, Anne Arundel County’s District 33, would in the plan voted in by the General Assembly, be chopped into three subdistricts for no apparent reason other than it would prove more favorable to one party rather than the other. There is nothing in the language of Article III, § 4 of the Constitution of Maryland which permits such type of redistricting. Furthermore the specific language speaks to,

“Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

This plan would also divide the Broadneck Peninsula by forcing a portion of the Peninsula which is on the Severn River across the water with the Annapolis Peninsula in District 30A.

We see other example of this with District 30A ignoring the natural boundary of the South River and reaching across that natural boundary to hijack Edgewater and place it within Annapolis Peninsula in District 30A.

And additional example of this violation of Article III, § 4 is District 27B of the plan voted in on January 27, 2022. That District is nearly divided in half by the Patuxent River.

Throughout central Maryland we find the most mischief in this redistricting plan. Another District in the Legislature’s plan, District 23, stretches north to south, while just to its west are four separate districts

abutting District 23, District 21, 22, 24, 25 and therefore it does not meet the requirement of

“Each legislative district shall consist of adjoining territory, be compact in form...”

In the instance of the interplay between District 21 and 23, District 23 carves out a portion from an area that would have been District 21 if the Constitutional Standard was consistently adhered to.

“Each legislative district shall consist of adjoining territory, be compact in form...”

There are other examples of the same problem in the interplay between District 25 and 26.

Clearly these violate the requirement that a district consist of “adjoining territory,” and “be compact in form.” This Legislative plan voted on by the General Assembly does not meet the Constitutional requirements.

It is important to understand that the Commission members were split on the vote to send the proposal to the General Assembly, the four Democratic lawmakers on the commission were in favor of the plan and the two Republican lawmakers against it.

It is also troubling to have the Commission Chair Karl Aro say at a virtual meeting Friday January 7, 2022 that the commission opted to include a single-member district around Owings Mills in response to feedback to create one District based on the racial makeup of that District. It seems that this decision was promoted by Baltimore County resident Linda Dorsey-Walker requesting at a December public hearing that District 11 in Baltimore County, which is currently a multi-member district, be redrawn to include a single-member, majority Black district around Owings Mills. There is no authority given in Article III, § 4 of the Constitution of Maryland which permits such type of redistricting.

Living on the Broadneck Peninsula for more than 30 years, I have been in the worst gerrymandered Congressional District, District 3 in the history of our State. The 3rd District has consistently been recognized as a prime example of the absurdities gerrymandering creates. The



redistricting of 2010 made a mockery of our voting rights on the Broadneck. We should recognize that gerrymandering is a form of voter suppression. The residents of my district have suffered the worst injustice of gerrymandering arguably in the history of our country. The 2022 plan voted in by the General Assembly on January 27th adds to our suffering. It is long past time to put an end to the abuses we have experienced.

I request that this plan be rejected and instead the one proposed by the Governor be adopted so that my district, along with the other gerrymandered Districts would be within the requirements of the Supreme Law of the State, the Constitution of the State of Maryland. This would fulfill the Law that,

“Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

Sincerely

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IN THE COURT OF APPEALS OF  
OF MARYLAND

IN THE MATTER OF

2022 LEGISLATIVE

DISTRICTING OF THE STATE

PETITIONERS:

MISC. NO. \_\_\_\_\_

MARK N. FISHER

NICHOLAUS R. KIPKE

KATHRYN SZELIGA

\_\_\_\_\_ /

**PETITION**

Pursuant to Article III, § 5 of the Maryland Constitution, Petitioners respectfully submit this Petition challenging the constitutionality of the General Assembly’s 2022 legislative districting plan (the “Plan”).

**I. Introduction**

1. Petitioners challenge the legality of the Plan under Maryland’s Constitution and Declaration of Rights. For the reasons detailed below, the Plan violates: (a) Article III, § 4 of the Maryland Constitution; (b) Articles 7, 24, and 40 of the Maryland Declaration of Rights; and (c) Article I, § 7 of the Maryland Constitution.

2. The Court should: (a) declare that the Plan violates Article III, § 4 of the Maryland Constitution, Articles 7, 24, and 40 of the Maryland Declaration of Rights, and Article I, § 7 of Maryland’s Constitution; (b) direct the General Assembly to enact a new legislative districting plan that complies with the Maryland Constitution and Declaration of Rights; and (c) if the General Assembly fails to enact a constitutional legislative districting plan in a timely fashion, order the adoption of the legislative districting plan prepared by the Maryland Citizens Redistricting

Commission (the “MCRC”) that was introduced to the General Assembly as Senate Joint Resolution No. 3 and House Joint Resolution No. 1.

## **II. Petitioners**

3. Petitioners are:

a. Mark N. Fisher is a registered voter in Maryland. Mr. Fisher currently serves as a member of Maryland’s House of Delegates and has been a member of the House of Delegates since 2011. He is a Republican elected official who represents Maryland citizens in Calvert County.

b. Nicholas R. Kipke is a registered voter in Maryland. Mr. Kipke currently serves as a member of Maryland’s House of Delegates and has been a member of the House of Delegates since 2007. He is a Republican elected official who represents Maryland citizens in Anne Arundel County.

c. Kathryn Szeliga is a registered voter in Maryland. Ms. Szeliga currently serves as a member of Maryland’s House of Delegates and has been a member of the House of Delegates since 2011. She is a Republican elected official who represents Maryland citizens in Baltimore and Harford Counties.

## **III. Jurisdiction**

4. This Court has jurisdiction over this Petition pursuant to Article III, § 5 of the Maryland Constitution.

## **IV. Petitioner’s Objections to the Plan**

### **A. Summary of Objections**

5. The Plan violates Maryland’s Constitution and Declaration of Rights because many of its legislative districts are the product of unlawful gerrymandering. Among others, the offending districts include 7, 9, 12, 21, 22, 23, 24, 25, 27, 31, 33, 42, and 47. These districts violate

Article III, § 4 of Maryland’s Constitution because they are not contiguous or compact and/or do not give due regard to natural boundaries and the boundaries of political subdivisions. These districts further violate: (a) Articles 7, 24, and 40 of the Maryland Declaration of Rights by infringing on Marylanders’ rights to free elections, freedom of speech, and equal protection; and (b) Article I, § 7 of Maryland’s Constitution by contradicting the General Assembly’s obligation to pass laws ensuring the purity of elections.

**B. Legal and Factual Bases for Petitioners’ Objections**

**1. Maryland’s Redistricting Requirements**

6. Article 3, § 2 of the Maryland Constitution requires there to be 47 Senators and 141 Delegates in the General Assembly. Article 3, § 3 of the Maryland Constitution requires that the State be divided into legislative districts for the election of members to the Senate and House of Delegates, and that each district contain one Senator and three Delegates. Thus, Maryland has 47 legislative districts.

7. Article 3, § 5 of the Maryland Constitution requires the State to redraw its 47 legislative districts following each decennial census of the United States. Under § 5, the Governor first prepares a redistricting plan and submits that plan to the General Assembly on the first day of its regular session. The General Assembly may then adopt the Governor’s plan or adopt its own redistricting plan through a joint resolution, which is not subject to gubernatorial veto. If the General Assembly fails to adopt its own redistricting plan, the Governor’s plan becomes law.

8. Whether the redistricting plan is created by the Governor or the General Assembly, Article 3, § 4 of the Maryland Constitution requires that “[e]ach legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population.” Section 4 further requires that “[d]ue regard shall be given to natural boundaries and the boundaries of political subdivisions.”

9. After a redistricting plan is adopted, Article III, § 5 of the Maryland Constitution permits “any registered voter” to submit a petition to the Court of Appeals challenging the adopted plan. The Court of Appeals “may grant appropriate relief, if it finds that the districting of the State is not consistent with requirements of either the Constitution of the United States of America, or the Constitution of Maryland.”

## **2. Enactment of the Plan**

10. On or about January 12, 2021, Governor Hogan issued an Executive Order establishing the Maryland Citizens Redistricting Commission (the “MCRC”). The MCRC was charged with creating State legislative and congressional redistricting plans. The MCRC was further directed to hold open and transparent meetings to develop its redistricting plans.

11. The MCRC was a bi-partisan commission, comprised of three representatives from the Democratic Party, three representatives from the Republican Party, and three individuals not registered with either the Democratic Party or Republican Party.

12. The MCRC followed transparent and publicly accessible procedures, held public hearings across the State, and developed bi-partisan redistricting plans that complied with the United States and Maryland Constitutions. Importantly, the MCRC’s plans were made without regard to the interests of any political party or candidate. The MCRC submitted its redistricting plans to Governor Hogan on November 5, 2021.

13. On January 12, 2022, the first day of the 2022 legislative session of the General Assembly, Governor Hogan submitted the MCRC’s State legislative districting plan without change to the General Assembly. It was introduced to the Maryland General Assembly as Senate Joint Resolution No. 3 and House Joint Resolution No. 1. The MCRC’s redistricting plan was referred to committee and never acted upon.

14. In July 2021, Bill Ferguson, President of the Maryland Senate, and Adrienne A. Jones, Speaker of the Maryland House of Delegates, formed the General Assembly's Legislative Redistricting Advisory Commission (the "LRAC"). The LRAC also was charged with preparing congressional and State legislative redistricting plans.

15. The LRAC included Senator Ferguson, Delegate Jones, Senator Melony Griffith, and Delegate Eric G. Luedtke, all of whom are Democratic members of Maryland's General Assembly. Two Republicans, Senator Bryan W. Simonaire and Delegate Jason C. Buckel, also were appointed to the LRAC by Senator Ferguson and Delegate Jones. Karl S. Aro, who is not a member of Maryland's General Assembly, was appointed as Chair of the LRAC by Senator Ferguson and Delegate Jones.

16. Although purportedly bipartisan, the LRAC was controlled by its Democratic members. So was the redistricting process. The Republican LRAC members were given copies of proposed redistricting plans but were not privy to the actual process by which the proposed plans were created (*e.g.*, how the maps were created, what factors were emphasized in the drawing of the legislative maps, and who had material input into the shaping of district lines). Additionally, although the Republican members of the LRAC were allowed to review and comment upon proposed plans, they were not given a real opportunity to make significant or material changes.

17. On or about January 7, 2022, the LRAC adopted the Plan. Both Republican members of the LRAC opposed the plan.

18. On or about January 12, 2022, the Plan was submitted to the General Assembly as Senate Joint Resolution No. 2 and House Joint Resolution No. 2. It moved swiftly through committee. On or about January 27, 2022, the Plan was passed by the General Assembly and became law.



### 3. The Requirements of Article III, § 4

19. Article III, § 4 of Maryland's Constitution provides: "Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions." These requirements are mandatory. *In re Legislative Districting of the State*, 370 Md. 312, 356 (2002). They may not "be subordinated to justifications not mandated by the Federal or State Constitutions." *In re 2012 Legislative Districting of the State*, 436 Md. 121, 135 (2013).

20. The requirements of § 4 are mandatory because they protect important interests. "[T]he contiguity and compactness requirements, and particularly the latter, are intended to prevent political gerrymandering." *In re Legislative Districting of State*, 299 Md. 658, 675 (1982). Indeed, "[e]qual apportionment, contiguity and compactness have been referred to as the trinity of equitable representation." *Id.* at 676 n.9.

21. "The contiguity requirement mandates that there be no division between one part of a district's territory and the rest of the district; in other words, contiguous territory is territory touching, adjoining and connected, as distinguished from territory separated by other territory." *Id.* at 675-76. Compactness requires "a close union of territory (conducive to constituent-representative communication)." *Id.* at 688. There are several generally accepted mathematical tests for measuring geographical compactness. Two of those, which will be referenced below, are the Reock test and the Polsby-Popper test. Under both tests, electoral districts are evaluated on a scale of 0-1, with a score closer to 1 indicating a more compact district and score closer to 0 indicating a less compact district. As a general matter, Maryland's legislative districts perform poorly under both the Reock and Polsby Popper tests. Specifically, a preliminary analysis shows that the statewide average for Maryland's legislative districts is .381 under the Reock test and .271 under the Polsby-Popper test.

22. The “due regard” requirement is “integrally related to the compactness and contiguity requirements” and is intended “to preserve those fixed and known features which enable voters to maintain an orientation to their own territorial areas.” *Id.* at 681. The “due regard” requirement also recognizes the critical role that political subdivisions, particularly Maryland’s counties, play in the governance of the State. *In re Legislative Districting of the State*, 370 Md. at 357-60; *see also id.* at 362 (recognizing that the term “political subdivisions” includes incorporated municipalities). In sum, the “due regard provision works to preserve local political interests, insofar as it ensures geographically concurrent political representation, and acts as a deterrent to the gerrymandering of legislative districts.” *In re 2012 Legislative Districting of the State*, 436 Md. at 152.

#### **4. The Violations of Article III, § 4**

23. Numerous legislative districts created under the Plan violate the clear mandates of Article III, § 4, including the following: Districts 12, 21, 31, and 33, which are located partially or entirely within Anne Arundel County; District 27, which is located partially in Calvert County; Districts 7 and 42, which are located partially in Baltimore County; District 9, which is split between Howard and Montgomery Counties; and Districts 22, 23, 24, 25, and 47, which are located in Prince George’s County. Non-constitutional political considerations were the primary criteria underlying the creation of these districts. Article III, § 4 was either ignored or subordinated to these non-constitutional considerations and was not fairly considered or applied in view of all relevant considerations.

##### **a. Challenged Districts Located Partially or Entirely Within Anne Arundel County**

###### ***District 12***

24. District 12 violates Article III, § 4 in at least two ways.

25. A simple eye test reveals that this district is not compact in form. Its shape defies description. It stretches from southcentral Howard County in the west and, through several twists and turns, ends in Glen Burnie and Marley Heights in Anne Arundel County in the east.

26. The eye test is matched by poor scores on the Reock and Polsby-Popper tests. Its Reock score is .14 and its Polsby-Popper score is .11. It has some of the worst scores under these tests of any legislative district in Maryland, which is significant given Maryland's poor average district compactness scores under the Reock and Polsby-Popper tests.

27. The House Districts within District 12 also score poorly on the Reock and Polsby-Popper tests. District 12A has scores of .25 (Reock) and .22 (Polsby-Popper). District 12B has scores of .23 (Reock) and .16 (Polsby-Popper).

28. District 12 also does not give due regard to political subdivisions because it is divided between Howard County and Anne Arundel County. It further divides the towns or localities of Columbia, Elkridge, Linthicum, and Ferndale.

29. Upon information and belief, District 12 is designed as it is for political reasons—to protect an incumbent Democratic member of the House of Delegates who formerly resided in District 31 and ensure the continued election of a Democratic Senator from District 12. Because these political concerns were prioritized above the constitutional requirements of Article III, § 4, District 12 is unconstitutional.

### ***District 21***

30. District 21 violates Article III, § 4 in at least two ways.

31. First, it is not geographically compact. It is shaped like a boomerang that includes the College Park area in the southwest, Laurel and Maryland City in the north, and a divided Crofton in the southeast. Given this odd shape, it not surprisingly scores poorly on the Reock and Polsby-Popper tests. Its Reock score is .29 and its Polsby-Popper score is .13.

32. District 21 also does not give due regard to political subdivisions because it is divided between Prince George's County and Anne Arundel County. It further divides the towns or localities of Crofton, Odenton, Fort Meade, Maryland City, Adelphi, Hillandale, Calverton, and Langley Park.

33. Upon information and belief, District 21's distorted shape, lack of regard for political subdivisions, and division of towns and localities has a primarily political purpose. It removes Republican voters from western Anne Arundel County who formerly resided in District 33 and places them into District 12, which is a heavily Democratic, multi-member district centered in Prince George's County. The intent behind this design is to dilute Republican votes in District 33 and thereby assist in flipping Senate District 33 to Democratic control. District 21's design places partisan politics above the constitutional requirements of Article 3, § 4, and it is unconstitutional.

### ***District 31***

34. District 31 violates Article III, § 4 because it is not geographically compact.

35. District 31's eastern half stretches from Gibson Island to Severna Park and Pasadena; its western half includes a barbell-shaped part of Anne Arundel County between Pasadena and Severn/Gambrills. Its Polsby-Popper score is .26.

36. District 31 also divides the towns or localities of Severn, Gambrills, Odenton, and Severna Park.

37. Upon information and belief, District 31 was designed to pack Republican voters into a single legislative district to dilute Republican votes in District 33 and protect the Democratic incumbent in House District 33C. Indeed, District 31 seems to have been drawn specifically to include within its geographic footprint a sitting Republican member of the House of Delegates, who formerly represented District 33, and who now resides in a bizarrely shaped section of District

31 that sits on the very edge of its border with District 33 (and House District 33C). Because District 31's design places non-constitutional political criteria above the constitutional requirements of Article 3, § 4 it is unconstitutional.

### ***District 33***

38. District 33 violates Article III, § 4 because it is not geographically compact.

39. District 33 is yet another legislative district with a shape that defies easy explanation and does not belong on an electoral map.

40. It performs poorly on both the Reock and Polsby-Popper tests. It has a Reock score of .34 and scores a dismal .14 under the Polsby-Popper test.

41. District 33 also divides the towns or localities of Crofton, Odenton, Severna Park, and Arnold.

42. Upon information and belief, District 33's odd and non-compact shape is the result of an intentional partisan gerrymander designed dilute Republican votes, make District 33 a majority Democratic district, and flip District 33's Senate seat to a Democratic candidate. It also has been gerrymandered to make more likely the election of two Democratic candidates to the House of Delegates from individual House Districts (33A and 33C) when District 33 formerly elected only one such candidate as a multi-member district. District 33 is yet another Anne Arundel County legislative district designed with politics as the primary consideration, rather than the constitutional requirements of Article 3, § 4. It is unconstitutional.

### **b. Challenged District Located Partially Within Calvert County**

### ***District 27***

43. District 27 violates Article III, § 4 in several ways.

44. First, it gives no regard for the boundaries of political subdivisions. District 27 crosses the borders of and includes within its geographic footprint three counties: Calvert, Charles,

and Prince George's. It even cuts off a small part of southern Calvert County, putting that part of the county into a different legislative district than the rest. Calvert County is a peninsula county that has nearly enough residents for an entire Senate District. There is simply no good reason or need to slice Calvert County into multiple districts or to include within Calvert County's primary legislative district the residents of two other counties.

45. District 27 further divides the towns or localities of Accokeek, Clinton, Rosaryville, Croom, Waldorf, and Hughesville.

46. District 27 also does not consist of adjoining territory and gives no regard for natural boundaries. Specifically, it crosses the Patuxent River to combine Calvert, Charles, and Prince George's Counties. Indeed, House District 27B is divided between Prince George's and Calvert Counties by a stretch of the Patuxent River that has no bridge crossings. In other words, for a resident of House District 27B in Calvert County to visit a Prince George's resident of House District 27B, the Calvert County resident would have to drive about 35-40 minutes to find a bridge crossing in another House (or Senate) District.

47. District 27 is another sad example of a partisan gerrymander. Upon information and belief, it is designed to isolate Republican voters in Calvert County into a single House District within a Senate District controlled by Democrats. It thus protects a Democratic Senator and two Democratic Delegates at the expense of the residents of Calvert County. Because it places non-constitutional, political criteria above the constitutional mandates of Article III, § 4, it is unconstitutional.

**c. Challenged Districts Located Partially Within Baltimore County**

***District 7***

48. District 7 violates Article III, § 4 in at least two ways.



49. First, it is not geographically compact. It stretches from Seneca Park (and the Chesapeake Bay) in the southeast to the Pennsylvania border in the north. There is no direct or easy way to travel from one end of the district to the other.

50. Not surprisingly, it scores poorly on the Reock and Polsby-Popper tests. Its Reock score is .24 and its Polsby-Popper score is .19.

51. The House Districts within District 7 also score poorly on the Reock and Polsby-Popper tests. District 7A has scores of .36 (Reock) and .25 (Polsby-Popper). District 7B has scores of .19 (Reock) and .20 (Polsby-Popper).

52. District 7 also fails to give due regard to political subdivisions because it is split between Baltimore County and Harford County. It further divides the towns or localities of Jarrettsville, Fallston, Bel Air, Edgewood, Joppatown, Hampton, Carney, White Marsh, Perry Hall, and Middle River.

53. Upon information and belief, District 7 is intentionally comprised of a disproportionate number of Republican voters to enable preferred Democratic candidates to prevail elsewhere—particularly in District 8. In fact, the odd border between District 7 and District 8 appears to have been designed to ensure the reelection of a Democratic incumbent in District 8. Because District 7 places non-constitutional, political criteria above the constitutional mandates of Article III, § 4, it is unconstitutional.

#### ***District 42***

54. District 42 violates Article III, § 4 in at least two ways.

55. First, it is not geographically compact. It stretches from Hampton in the southeast to the Pennsylvania border and then crosses the Baltimore County-Carroll County border to include a bizarrely shaped portion of Carroll County.

56. While District 42 performs above the (poor) Maryland average on the Reock test (a score of .46) its Polsby-Popper score is .18. Its score under the Polsby-Popper test is well below Maryland's already poor average district compactness score.

57. Two of the House Districts within District 42 also score poorly on the Reock and Polsby-Popper tests. District 42B has scores of .23 (Reock) and .13 (Polsby-Popper), some of the worst scores of all the House Districts in the State. District 42C has scores of .36 (Reock) and .18 (Polsby-Popper).

58. District 42 also does not give due regard to political subdivisions because it is divided between Baltimore County and Carroll County. It further divides the towns or localities of Cockeysville, Timonium, Lutherville, Hampton, and Towson.

59. Upon information and belief, District 42 appears to have been created in a way to favor an incumbent Democratic Delegate. Because this interest was placed above the constitutional requirements of Article III, § 4, District 42 is unconstitutional.

**d. Challenged District Located Within Howard and Montgomery Counties**

***District 9***

60. District 9 violates Article III, § 4 in at least two ways.

61. First, it is not geographically compact. It stretches from Columbia/Ellicott City in the east to Clarksburg in the west. Its Reock score is .26 and its Polsby-Popper score is .23.

62. District 9 also fails to give due regard to political subdivisions because it is split between Montgomery County and Howard County. It further divides the towns or localities of Ellicott City, Columbia, Highland, Damascus, and Clarksburg.

63. Upon information and belief, District 9 was constructed to intentionally remove a portion of Republican-leaning voters in southern Carroll County, replace them with Democratic-leaning voters in northern Montgomery County, and ensure the election of a Democratic senator.

Because these political interests were placed above the constitutional requirements of Article III, § 4, District 9 is unconstitutional.

**e. Challenged Districts Located Within Prince George’s County**

***Districts 22, 23, 24, 25, and 47***

64. Districts 22, 23, 24, 25, and 47 blatantly violate Article III, § 4’s geographic compactness requirement.

65. The eye-test says it all regarding these districts. They are all shaped so irregularly that no serious claim can be made that they are geographically compact.

66. The Reock and Polsby-Popper scores confirm this conclusion:

<b>District</b>	<b>Reock Score</b>	<b>Polsby-Popper Score</b>
22	.45	.12
23	.23	.13
24	.22	.08
25	.45	.18
47	.27	.13

67. Although they all are located within Prince George’s County—a fact that makes their lack of geographical compactness inexcusable—Districts 22 and 24 divide the political subdivision of Glenarden. These districts also divide numerous towns and localities, including Woodmore, Glenn Dale, Lanham, Mitchellville, Springdale, Landover, Suitland, Clinton, Adelphi, Langley Park, and Hyattsville.

68. Upon information and belief, these legislative districts were crafted with political interests—the reelection of incumbent Senators and Delegates—subordinating the constitutional requirements of Article III, § 4. These districts are therefore unconstitutional.

## **5. Additional Constitutional Violations**

69. As explained above, the contiguity and compactness requirements of Article III, § 4 are intended to prevent political gerrymandering. As further set forth above, the Plan contains numerous districts that were politically gerrymandered in violation of Article III, § 4. Indeed, the violations of § 4 can be found across the State—from Calvert County to the Pennsylvania border.

70. These wide-ranging violations of § 4 demonstrate the extent of the political gerrymandering from which the Plan was born. This extreme gerrymandering violates not only Article III, § 4, but other Maryland constitutional provisions as well.

### **a. Article 7 of the Declaration of Rights**

71. Article 7 of Maryland’s Declaration of Rights provides: “That the right of the People to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose, elections ought to be free and frequent; and every citizen having the qualifications prescribed by the Constitution, ought to have the right of suffrage.” This provision is intended to guarantee the “fair and free exercise of the electoral franchise,” *State Bd. of Elections v. Snyder*, 435 Md. 30, 61 (2013), and is “even more protective of rights of political participation than the provisions of the federal Constitution,” *Md. Green Party v. Md. Bd. of Elections*, 377 Md. 127, 150 (2003).

72. Article 7, therefore, provides the citizens of Maryland with a right to an equally effective power to select the legislative representatives of their choice, and bars the creation of electoral districts that ensure the election of candidates from one political party and/or dilute the votes of citizens on the basis of political affiliation and viewpoint. Simply put, it prohibits the State from rigging elections in favor of one political party.

73. As set forth above, the Plan violates Marylanders’ right to the “fair and free exercise of the electoral franchise” under Article 7 in numerous ways, including:

a. Many parts of the Plan were designed specifically for partisan purposes and with an intent to preserve and expand the political power of Democrats, and thus the 2021 Plan unlawfully seeks to predetermine election outcomes in the above legislative districts, among others.

b. The Plan intentionally divides Republican voters into legislative districts in a way that unlawfully favors Democratic candidates in the above legislative districts, among others.

74. Any district map created through political gerrymandering and with the intent to dilute votes on a partisan basis is not free. Through the Plan, the General Assembly has installed a system whereby voters are cherry-picked to ensure or unlawfully favor the election of candidates from one political party. In this way, the 2021 Plan violates Article 7.

**b. Article I, § 7 of the Maryland Constitution**

75. Article I, § 7 of the Maryland Constitution provides: “The General Assembly shall pass Laws necessary for the preservation of the purity of Elections.” This provision requires the General Assembly to pass laws concerning elections that are fair and evenhanded, and that are designed to eliminate corruption.

76. The Plan is not fair or evenhanded. Through intentional partisan manipulation, it divides Republican voters into legislative districts across Maryland in a way that unlawfully favors Democratic candidates in the above legislative districts, among others. Thus, the Plan intentionally dilutes the voting power of many Republicans and renders their votes nearly meaningless in legislative elections in the above districts.

77. The Plan also legalizes political corruption. Through intentional partisan manipulation, the Plan unlawfully rigs elections in certain legislative districts. Election rigging is the epitome of political corruption.

**c. Article 24 of the Declaration of Rights**

78. Article 24 of the Maryland Declaration of Rights guarantees “[t]hat no man ought to be taken or imprisoned or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or, in any manner, destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the land.” The protections afforded by Article 24 include by implication the principle of equal protection.

79. The Plan violates Article 24 by unconstitutionally discriminating against Republican voters and infringing on their fundamental right to vote. Specifically, the 2021 Plan intentionally discriminates against Republican voters in the above legislative districts by diluting the weight of their votes based on party affiliation and depriving them of the opportunity for full and effective participation in the election of their legislative representatives.

80. The Plan’s systemic dilution of the weight of Republican votes in the above districts unconstitutionally degrades Republican voters’ influence on the political process and infringes on their fundamental right to have their votes count fully.

81. The State of Maryland lacks any compelling interest in upholding the Plan and diluting the weight of Republican votes in the above districts or depriving Republican voters in the above districts of the opportunity for full, effective, and equal participation in the election of their legislative representatives.

**d. Article 40 of the Declaration of Rights**

82. Article 40 of the Maryland Declaration of Rights guarantees “that every citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects.”

83. The Plan violates Article 40 by burdening protected speech based on political viewpoint. Specifically, in numerous legislative districts, including those referenced above, the



Plan benefits certain preferred speakers (Democratic voters), while targeting certain disfavored speakers (Republican voters) based on the views they express when they vote.

84. The Plan subjects Republican voters to disfavored treatment by dividing them into specific legislative districts to dilute their votes and ensure that they are not able to elect a candidate who shares their views. The Plan thus has the effect of suppressing the political views and expressions of Republican voters. The Plan discriminates against Republican voters in this way because of their voting history, party affiliation, and expression of their political views.

85. The Plan further violates Article 40 by retaliating against Republican voters based on their political speech. The Plan takes adverse action against Republican voters in the above districts and would not have done so but for a retaliatory intent to punish those Republican voters because of their voting history, party affiliation, and expression of their political views.

86. The Plan further violates Article 40 by infringing on Republican voters' rights of association. The Plan targets voters based on party affiliation and association and retaliates against Republican voters for those associations.

87. The State of Maryland has no legitimate or compelling interest in discriminating and retaliating against Republican voters because of their political viewpoints, voting history, or party affiliation. Nor can Maryland's geography, natural boundaries, political subdivisions, or other legitimate redistricting criteria explain or justify the Plan.

## **V. Request for Relief**

WHEREFORE, Petitioners respectfully request that the Court enter Judgment in their favor, and:

(a) Determine and declare that the Plan is unconstitutional and invalid because it violates: (i) Article III, § 4 of the Maryland Constitution; (ii) Articles 7, 24, and 40 of Maryland's Declaration of Rights; and (iii) Article I, § 7 of the Maryland Constitution;

(b) Direct the General Assembly to enact a new legislative districting plan that complies with the Maryland Constitution and Declaration of Rights;

(c) Should the General Assembly fail to enact a new legislative districting plan that complies with the Maryland Constitution and Declaration of Rights in a timely fashion, order the adoption of the legislative districting plan prepared by the MCRC that was submitted to the General Assembly as Senate Joint Resolution No. 3 and House Joint Resolution No. 1; and

(d) Award such other and further relief as the Court deems just, appropriate, necessary, or proper.

Respectfully submitted,

/s/ Strider L. Dickson

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*Attorneys for Petitioners*

### **CERTIFICATE OF SERVICE**

I certify that the foregoing Petition was filed using the Court's MDEC filing system and was served on the Attorney General of Maryland in accordance with Rules 2-124 and 20-205 by sending a copy of the complaint to [civil\\_service@oag.state.md.us](mailto:civil_service@oag.state.md.us).

/s/ Strider L. Dickson

Strider L. Dickson

IN THE COURT OF APPEALS OF  
OF MARYLAND

(Sept. Term 2021)

IN THE MATTER OF

2022 LEGISLATIVE

DISTRICTING OF THE STATE

PETITIONERS:

MISC. NO. 26  
**September Term, 2021**

BRENDA THIAM

258 Brynwood St.

Hagerstown, MD 21740

WAYNE HARTMAN

1103 Edgewater Ave., Unit 3

Ocean City, MD 21842

PATRICIA SHOEMAKER

4046 Gill Ave.

Hampstead, MD 21074

**PETITION REGARDING 2022 LEGISLATIVE REDISTRICTING**

Petitioners hereby submit this Petition, pursuant to Article III, Section 5 of the Maryland Constitution, and this Court's Order of January 28, 2022 challenging the legality of the General Assembly's 2022 legislative districting plan (the "Plan").

## **I. Introduction**

1. Petitioners challenge the legality of the Plan under Maryland's Constitution and Declaration of Rights, and under the Equal Protection/Due Process clauses of the United States Constitution. The Plan violates: (a) Article III, § 4 of the Maryland Constitution; (b) Articles 7, 24, and 40 of the Maryland Declaration of Rights; (c) Article I, § 7 of the Maryland Constitution; and (d) the Equal Protection and Due Process clauses of the United States Constitution.

2. The Court should: (a) declare that the Plan violates the Maryland Constitution, the Maryland Declaration of Rights, and the "one person, one vote" principles of the United States Constitution; (b) direct the General Assembly to enact a new legislative districting plan that complies with the Maryland Constitution, Declaration of Rights, controlling federal law and this Court's directives, and specifically incorporating uniform single member House of Delegates districts; (c) if the General Assembly fails to enact a constitutional legislative districting plan in a timely fashion, the Court shall develop a constitutional final map, utilizing a special magistrate, Court-appointed expert, or any other manner or method deemed appropriate by the Court.

## **II. Petitioners**

3. Petitioners are:

a. Brenda Thiam is a registered voter in Maryland. Mrs. Thiam currently serves as a member of Maryland's House of Delegates. She is a Republican elected official who represents Maryland citizens in Washington County. Currently, and under the Plan which is the subject of the instant case, she resides in Hagerstown, Maryland in District 2B, a single member district juxtaposed with District 2A, a two member district.

b. Wayne Hartman is a registered voter in Maryland. Mr. Hartman currently serves as a member of Maryland's House of Delegates. He is a Republican elected official who

represents Maryland citizens in Worcester and Wicomico Counties. Currently, and under the Plan which is the subject of the instant case, he resides in Berlin, Maryland in District 38C, a single member district configured as part of three single member districts comprising District 38.

c. Patricia Shoemaker is a registered voter in Maryland. She is a registered Republican who resides in Hampstead, Maryland in what is currently a three Delegate legislative district (District 5), but will be within a single member Delegate district (District 42C) in Carroll County, under the Plan, adjacent to a “new” three member district configured as District 5.

### **III. Jurisdiction**

4. This Court has jurisdiction over this Petition pursuant to Article III, § 5 of the Maryland Constitution.

### **IV. Petitioner’s Objections to the Plan**

5. Petitioners hereby expressly incorporate as if set forth fully herein the averments and objections to the Plan articulated in the petition filed contemporaneously herewith by Petitioners Mark Fisher, Nicholas Kipke, and Kathy Szeliga <sup>1</sup>(hereinafter the “Fisher Petition”), specifically including the claims therein as to violations of Article III, Section 4 and Article I, Section 7 of Maryland’s Constitution, and Articles 7, 24 and 40 of Maryland’s Declaration of Rights.

6. Further, Petitioners herein allege that the Plan violates Articles 7, 24 and 40 of the Declaration of Rights, Article I, Section 7 of Maryland’s Constitution, and the Equal Protection

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<sup>1</sup> Court of Appeals of Maryland, Miscellaneous No. 25, September Term 2021.

and Due Process clauses of the U.S. Constitution specifically because it contains non-uniform, multimember districts for the House of Delegates, rather than a uniform scheme of single member districts for that body of the General Assembly.

**B. Legal and Factual Bases for Petitioners' Objections**

7. Petitioners hereby expressly incorporate as if set forth fully herein the legal and factual bases for objections articulated in the Fisher Petition.

8. In addition, Petitioners herein specifically allege that the Plan's adoption of mixed multimember and single member districts, rather than uniform single member districts, violates Article 24 and Article 40 of the Maryland Declaration of Rights.

9. Article 24 guarantees due process and equal protection of law to Maryland citizens. The Plan violates this principle by, without limitation, infringing on the rights of Republican voters by systematically configuring their House of Delegate districts to minimize their representation in the General Assembly.

10. Article 40 guarantees freedom of political speech and association. The Plan violates this principle, as specifically alleged in Paragraphs 83-87 of the Fisher Petition.

11. The Supreme Court of the United States has long pronounced that our Constitution enshrines the fundamental principle of democracy that every individual's vote should count equally. In *Baker v. Carr*, 369 U.S. 186 (1962), *Reynolds v. Sims*, 377 U.S. 533 (1964) and their progeny, the concept of "one person, one vote", has been found to be inherent in the guarantees of equal protection, due process, and freedom of political speech and association that lie at the heart of the protected freedoms of our citizenry.



12. Allowing multimember districts to exist and be apportioned for the Maryland House of Delegates violates the “one person, one vote” principle, both as a logical *prima facie* violation and as a violation as applied in the Plan.

13. The legislative redistricting maps prepared by the Legislative Redistricting Advisory Commission (“LRAC”) and approved by the General Assembly contain a veritable hodgepodge of three-member districts, two member/one member districts, and single-member districts aggregated into a state Senate district. Article III, Section 3 of Maryland’s Constitution, in direct contravention of the “one person, one vote” principle, does expressly allow for House of Delegates districts to be so divided. Allowing the varied use of multimember and single-member districts is, however, not only a constitutional violation of base principles articulated in Maryland’s Constitution and the Declaration of Rights, but is a unique anomaly in the composition of state legislatures throughout America.

14. Almost every other state in the United States has rejected the mixed use of multimember and single member districts, recognizing that the only way to comply with the “one person, one vote” principle, and to provide both equal protection, due process, and free and fair elections to their citizenry, is to have uniform legislative districts with minimal population deviations.

15. The Plan passed by the General Assembly directly disenfranchises many citizens from across the state of Maryland by “mixing and matching” single member and multimember districts. In many communities, both urban, suburban and rural, individual voters assigned to a single member House of Delegates district have but one vote for one representative in that body of the General Assembly. In other jurisdictions which may be but mere minutes away and have no remarkable dissimilarities to justify such a discrepancy, an individual voter may in fact be

able to cast votes for two or three members for the House of Delegates, and rely upon those individual's joint representation, political association, and constituent services as a member of the General Assembly.

16. It would strain any logical interpretation to suggest any such scheme advances the fundamental requirement of "one person, one vote". Each of the named Petitioners herein, being registered voters of the State of Maryland, live in (and in some cases represent as members of the House) districts designated by the Plan as a single member district. They (and their constituents, to the extent that any named Petitioner is a current member of the General Assembly) are impermissibly disadvantaged by the fact that citizens of other multimember districts have a disproportionate voting and representational advantage.

17. The failure to use uniform, single-member districts for the House of Delegates across the state of Maryland not only violates the "one person, one vote" concept and deprives citizens of their rights to equal protection and due process under the Maryland and Federal constitutions, but further violates Maryland's unique free elections clause.

18. Maryland's Declaration of Rights, Article 7 states as follows: "That the right of the People to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose, elections ought to be free and frequent; and every citizen having the qualifications prescribed by the Constitution ought to have the right of suffrage." As state appellate courts in other jurisdictions (including Pennsylvania and North Carolina) have found utilizing similar language in their state constitutions, guarantees of a "free" election imply that the legislative maps created are not the product of excessive partisan gerrymandering designed to effectively minimize the voices and political impact of either ethnic, racial, or political minorities.

19. Maryland's free election clause secures the "free and fair exercise of the electoral franchise", *State Board of Elections v. Snyder*, 435 Md. 30, 61 (2013) and has been interpreted to be "even more protective of rights of political participation than the provisions of the federal constitution", *Md. Green Party v. Md Board of Elections*, 377 Md. 127/150 (2003)

20. Petitioners contend that the Plan reflects an obvious intent to utilize mixed multimember and single-member districts to create *de facto* partisan political gerrymandering, in direct violation of their rights under Article 7.

21. In places like Montgomery County, Prince Georges County, and Baltimore City (jurisdictions where Democrats have significant voter registration advantages and from which a Republican has not been elected to the state legislature for decades), multimember districts are employed exclusively under the Plan so as to allow for consolidation of partisan political power and advantage to the majority party. There are no single-member districts created to represent particular communities of interest in any of those three large jurisdictions, because allowing for single-member districts of uniform but smaller size and reflecting particular communities where political associations may not be identical to the political associations of the larger county in aggregate, would enhance the chances that a member of a minority political party may in fact be able to be elected.

22. However, in other jurisdictions from across Maryland, the proposed Plan separates communities into two member/one member districts and single-member districts in a reverse effort to dissipate the political voices and rights of a minority political party. District 33 in Anne Arundel County is such an example. District 33 was formerly established as a three member district. District 31 and District 32 in Anne Arundel County, bordering District 33 and essentially of the same general suburban character, were and remain in the proposed Plan three

member districts. However, District 33 has now been carved into three single-member districts, at least two of which are clearly designed to produce a substantial likelihood that a Democrat will be elected more easily than could be projected if District 33 remains a three member district.

23. District 42, encompassing part of Baltimore County and crossing into Carroll County in the Plan, constitutes a similar example of partisan gerrymandering implemented through the unprincipled mixture of multimember and single-member districts. District 42 formerly existed as a two member/one member House district configuration. Under the proposed map, it has now been converted to all single-member districts despite the fact that its neighboring districts in Baltimore County (primarily District 8) and in Carroll County (primarily District 5) are kept under the proposed map as a three member district. In District 42, the creation of a single member district situated in the Timonium/Cockeysville area, was enacted largely to enhance the likelihood of electing a Democrat from that sub-district, who otherwise would not be likely to prevail if the entire district were configured as a three member district.

24. District 2B is another example of the blatant partisan gerrymandering and violation of equal protection and free election principles inherent in the Plan. District 2B is a single member district in Washington County configured with District 2A, a two member district in Washington and Frederick Counties. District 2B is expressly configured as such to attempt to elect a Democrat in 2B, while in other areas single member districts are denied to citizens because they may facilitate the election of Republicans.

25. Put simply, the majority party of the General Assembly chooses whether or not to implement single-member districts, two member/one member districts, or three member House of Delegate districts, merely to advance their own political prospects and to diminish the ability of citizens of opposing political viewpoints to engage in a truly “free” election.



26. The failure of the Plan to have uniformly sized single member House districts violates the aforementioned provisions of Maryland's Constitution and Declaration of Rights, as well as long established principles of "one person, one vote" protections fundamental to our democratic process and voting rights.

**Request for Relief**

WHEREFORE, Petitioners respectfully request that the Court enter Judgment in their favor, and:

(a) Determine and declare that the Plan is unconstitutional and invalid because it violates: (i) Article III, § 4 of the Maryland Constitution; (ii) Articles 7, 24, and 40 of Maryland's Declaration of Rights; (iii) Article I, § 7 of the Maryland Constitution; and the federal Constitutional guarantees of Equal Protection, Due Process and freedom of political speech/association;

(b) Direct the General Assembly to enact a new legislative districting plan that complies with the Maryland Constitution and Declaration of Rights; and specifically incorporates uniform single member House of Delegates districts;

(c) Should the General Assembly fail to enact a new legislative districting plan that complies with directives of this Court in a timely fashion, order a new legislative districting map to be created by a special magistrate, Court-ordered expert, or in any other method or manner deemed appropriate by this Court; and

(d) Award such other and further relief to as the Court deems just, appropriate, necessary, or proper.

SIGNATURES ON FOLLOWING PAGE:

Respectfully submitted,



David K. Bowersox

CPF# 8212010031

Hoffman, Comfort , Offutt, Scott & Halstad, LLP

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Westminster, MD 21157

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dbowersox@hcolaw.com

I certify that the foregoing Petition was filed using the Court's MDEC filing system and was served on the Attorney General of Maryland in accordance with Rules 2-124 and 20-205 by sending a copy of the complaint to [civil\\_service@oag.state.md.us](mailto:civil_service@oag.state.md.us).



David Bowersox



IN THE MATTER OF

2022 LEGISLATIVE

DISTRICTING OF THE STATE

\* IN THE

\*

\* COURT OF APPEALS

\*

\* OF MARYLAND

\*

\* MISC. NO.

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TERM,

PETITION FOR REVIEW AND REQUEST FOR RELIEF

Pursuant to Article III Section 5 of the Constitution, I, Seth Edward Wilson, hereby request judicial review of the districting of the State, in particular the district identified as District 2A, located primarily in Washington County and extending in part into Frederick County. District 2A violates Article III Section 4 of the Constitution of Maryland and Section 1 of the 14<sup>th</sup> Amendment of the United States Constitution.

I am a registered voter who lives in Washington County who is adversely affected by this decision, a citizen of Maryland, and a citizen of the United States. I am also a resident of and former candidate for the Republican nomination for Delegate in the district that was abolished in 2012 and likely candidate for the Republican nomination for Delegate in the 2022 election. I am an elected member of the Washington County Republican Central Committee, currently serving as its Chair, and as such represent other affected registered voters in Washington County. I participated in meetings of the Maryland Citizens Redistricting

Commission. I signed up to provide oral testimony against the proposed legislative plan, which ultimately was passed by the Maryland General Assembly, but was not provided the opportunity to speak.

## MEMORANDUM

### Recital of facts

1. I am representing myself in this matter and am currently involved with another petition to preserve my civil rights in this election cycle. Because of this and the limited time to present this petition, I request reasonable accommodations to rules of procedure to preserve my substantive rights and my right to be heard.
2. Petitions generally should be construed as to do substantial justice.
3. This court has decided that the creation of individual legislative districts is a justiciable matter.
4. The 2022 District 2A was created as a two-member district that crossed county lines between Washington and Frederick Counties.
5. The 2012 District 2A was created as a two-member district. This was a new multimember district, the boundaries of which lay entirely within Washington County.

- 2002  
2012 SW210
6. The area of 2022 District 2A approximately comprises the areas of ~~2012~~ Districts 2A and 2B as drawn by this court. In addition, a small part of District 3B was shared by Washington County.
  7. This court has recognized that Western Maryland has traditionally had single member districts.
  8. The population of Washington County was reduced for apportionment purposes because of the “No Representation Without Population Act” of 2010.
  9. This court has stated that including non-voting prison populations are appropriately used to balance populations to minimize the effects of crossing the boundaries of political subdivisions.

#### Argument

10. Article III Section 4 of the Constitution of Maryland states: “Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”
11. District 2012 2A was created without any compelling state interest but was situated entirely within Washington County.
12. Further, I argue that District 2012 2A was created for purely partisan reasons, including punishing Delegate Neil Parrott for his statewide petition efforts,

and was part of an overall partisan scheme as admitted to by former Governor O'Malley in federal court.

13. District 2022 2A has not been created as a two member district for any compelling reason.
14. District 2022 2A violates Article III Section 4 because it fails to respect the political subdivision between Washington County and Frederick County.
15. Maps drawn by the Maryland Citizens Redistricting Commission show that it is possible to have at least two single member districts in Senate District 2 that respect political subdivisions and lie entirely within Washington County.
16. Whatever partisan political nonsense might be used as justification of a two-member district in Washington County, this court has held that political considerations do not trump the Constitution of Maryland. With the creation of 2022 District 2A, the General Assembly has literally and figuratively crossed a line that it did not in 2012 and cannot in 2022.
17. Federal courts may have held that states may adjust populations by excluding prison populations, but they have not held that any state is compelled to do so.
18. Optional adjustments to populations prior to apportionment should not be confused with the legal requirement to equalize those populations after they are adjusted. In other words, appeals to Reynolds v. Sims and the like to defeat constitutional challenges to these optional adjustments are invalid.

19. In the case of Senate District 1 and 2, and perhaps other districts in the state, application of the “No Representation Without Population Act” of 2010 violates Article III Section 4 of the Constitution of Maryland when applied to districts that cross county lines. Adjustments of population are a legislative consideration that cannot supersede the Constitution of Maryland.
20. Ultimately, there are flaws in the reasoning behind the “No Representation Without Population Act” where nonvoting prison populations are concerned.
21. Further, it is unclear to me how the populations were adjusted prior to apportionment. There may be a lack of public notice and participation in these adjustments.


#### Relief

22. Because the 2022 districts created in Washington County by the General Assembly violate the Constitution of Maryland, and by extension therefore the Constitution of the United States, I ask the court to order that single member districts be drawn for Senate District 2, at least two of which lie entirely within Washington County.
23. I further request the districts in Senate District 2 be redrawn to mirror as closely as possible the single member districts it created in 2002.

24. I suggest that those 2002 maps be altered to remove the 2002 3B section from Washington County and that 2002 2A be extended into Frederick County only as far as necessary to achieve population equalization.

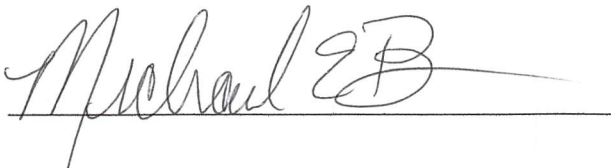
25. Further, I request that the population adjustment to 2022 Senate Districts 2 and 1 due to the "No Representation Without Population Act" of 2010 be declared null and void because it conflicts with the Constitution of Maryland and that the populations removed as a result be added back into the population of those districts prior to reapportionment.

I solemnly affirm under the penalties of perjury that these statements are true to the best of my knowledge, information, and belief.

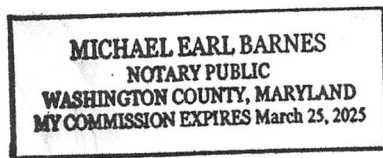


Seth Wilson

Sworn and subscribed to before this 10 day of Feb, 2022 ,



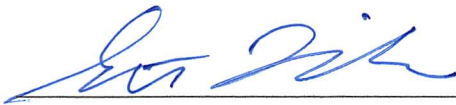
My commission expires



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of February, 2022, a copy of this petition was served on the Office of the Attorney General of Maryland, in accordance with this court's order, to [civil\\_service@oag.state.md.us](mailto:civil_service@oag.state.md.us), in accordance with instructions from that office dated March 12, 2020.

I agree to receive electronic service at [gopseth@outlook.com](mailto:gopseth@outlook.com).



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Seth Wilson

IN THE MATTER OF  
2022 LEGISLATIVE  
DISTRICTING OF THE STATE

\* IN THE  
\*  
\* COURT OF APPEALS  
\*  
\* OF MARYLAND  
\*  
\* MISC. NO. 27  
\*  
\* SEPTEMBER TERM, 2021

**CERTIFICATE OF SERVICE**

I certify that on the 11th day of February, 2022, the foregoing scanned copy of the annotated paper copy of my PETITION FOR REVIEW AND REQUEST FOR RELIEF, paper copies of which were sent via FedEx on that same date to the Court of Appeals, was e-mailed to civil\_service@oag.state.md.us and vfowley@oag.state.md.us.

I further certify that on this 15<sup>th</sup> day of February, 2022, the foregoing scanned copy of the annotated paper copy of my PETITION FOR REVIEW AND REQUEST FOR RELIEF and this CERTIFICATE OF SERVICE were filed and served on the State of Maryland via the MDEC system.

  
\_\_\_\_\_  
Seth Wilson