

# **Bond Case Briefs**

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## **PUBLIC OFFICE - MARYLAND**

### **Guthrie v. Vincenti**

**Appellate Court of Maryland - May 6, 2026 - A.3d - 2026 WL 1242900**

County council member filed complaint against council's president, seeking declaratory and injunctive relief for his allegedly wrongful removal from county council following criminal plea proceedings.

The Circuit Court granted council president's motion for summary judgment, and council member appealed.

The Appellate Court held that council member entered nolo contendere plea to felony theft, which plea triggered his removal from elective office by operation of law.

County council member entered nolo contendere plea to felony theft, which plea triggered his removal from elective office by operation of law; after member indicated his intent to enter plea of nolo contendere, trial judge confirmed that plea was knowing, voluntary, and intelligent, judge confirmed his acceptance of plea, member signed modified waiver of rights form stating that he consented to entering plea of nolo contendere, trial judge misspoke when stating that he would strike nolo contendere plea, record indicated that judge intended to strike guilty verdict, to accept nolo contendere plea, and to sentence member to probation before judgment, judge realized, while sentencing member to probation before judgment, that guilty verdict could not stand alongside nolo contendere plea and, therefore, explained that he was going to strike guilty verdict to preserve plea's compliance with rule governing pleas.