

MARYLAND STATE BOARD OF
ELECTIONS, et al.,

Appellants,

v.

ANTHONY AMBRIDGE, et al.,

Appellees.

IN THE

SUPREME COURT

OF MARYLAND

No. 26

September Term 2024

SCM-REG-0026-2024

**APPELLANT MAYOR AND CITY COUNCIL OF BALTIMORE’S
RESPONSE IN SUPPORT OF
APPELLANT MARYLAND STATE BOARD OF ELECTIONS’
EMERGENCY MOTION TO STAY THE CIRCUIT COURT’S
INJUNCTION PENDING APPEAL**

Appellant Mayor and City Council of Baltimore (the “City”) respectfully submits this response in support of the Emergency Motion to Stay the Circuit Court’s Injunction Pending Appeal that was filed by Appellant Maryland State Board of Elections (the “State Board”). The City supports and adopts by reference the State Board’s explanation of the appeal and arguments as to why a stay is necessary.

In addition, on the element of likelihood of success, the City also notes that not only should the Appellants succeed for the procedural reasons detailed by the State Board, but if this Court reaches the substantive questions, the Appellants should also succeed on those merits as well. The circuit court plainly

misunderstood the nature of proposed charter amendment (it is not land use legislation, but an alteration of charter limitations on the City's ability to pass such legislation) and the circuit court deemed language impermissibly confusing that was both accurate and taken almost verbatim from the charter provision being amended and the legislative resolution proposing the amendment.

Moreover, to reiterate and reemphasize the State Board's points, the last three elements also weigh heavily in favor of a stay because telling the public that the question may still be valid hurts no one, but allowing people to believe (while voting has already started) that the question has already been invalidated hurts everyone. Those in favor of the amendment may fail to mark their ballot because they believe they cannot win. Those opposed may do the same because they think they already have won. Disenfranchising anyone is an irreparable harm, both to the individual lulled into not voting and to the integrity of our democratic process.

For all these reasons, and those set forth in more detail in the State Board's motion, the City respectfully asks that the State Board's emergency motion requesting a stay of the circuit court's injunction be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on this 21th day of September, 2024, the foregoing was filed and served electronically by the MDEC system on all persons entitled to service.



Michael Redmond