

IN THE SUPREME COURT OF MARYLAND

Maryland State Board of Elections, *et al.* \*

\* No, 26, September Term 2024

v.

\*

Anthony J. Ambridge, *et al.* \*

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\* \* \* \* \*

MOTION FOR PERMISSION TO FILE *AMICUS CURIAE* BRIEF  
AND TO FILE BRIEF OUT OF TIME

Due Property Rights Alliance, Inc., pursuant to Maryland Rule 8-511(b), moves for an Order of the Court granting permission to file an *amicus curiae* brief in this matter and to file said brief out of time, and states as follows:

1. Plaintiff, Due Property Rights Alliance, Inc. (“DPRA”), is a charitable and educational organization qualified as tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and registered in Maryland for the purpose, *inter alia*, of initiating and maintaining litigation to vindicate civil and constitutional property rights under federal, state, and local laws and procedures, and to educate the public regarding such issues.

2. DPRA files this motion out of time because it only recently became aware of the arguments and implications of the matters raised in the belated filings of Appellants in this case. (Along with Appellees, DPRA had filed a petition for judicial review in the Circuit Court for Anne Arundel County (which was assigned case no.: C-02-CV-24-002237) but subsequently withdrew that petition for reasons unrelated to the

merits of its arguments). Upon considering these papers, filed just 10 days ago, Movant was convinced that this Court, in deciding the issues presented by the parties, would benefit from the legal arguments presented in its *amicus curiae* brief.

3. Movant avers that the primary and proximate cause of the deficiencies in the ballot measure that is the subject of this appeal was not merely the certification of incomprehensible ballot language and an amendment that is not proper “charter material,” as argued by Appellees, but also the illegal passage by the Mayor and City Council of Bill 23-0444 in violation of the Maryland State Constitution prohibition against the passage of special laws favoring a sole beneficiary when other existing General Laws enacted by the City exist to address the issue presented. *Cities Serv. Co. v. Governor*, 290 Md. 553, 290 A.2d 663 (1981).

4. DPRA’s interest in this matter is to pursue the charitable and educational purposes for which it was organized. Md. Rule 8-511(b)(1)(A). The argument raised in its *amicus curiae* brief advances DPRA’s interests in a substantial and meaningful way.

5. The filing of this *amicus curiae* brief is desirable because DPRA has reasons different than those expressed by Appellees for challenging the proposed amendment to the Baltimore City Charter that is the subject of this matter, namely that the Charter amendment violates the prohibition against special laws in Article III, section 33 of the Maryland Constitution. Md. Rule 8-511(b)(1)(B).

6. DPRA has not requested the consent of the parties to file the *amicus curiae* brief due to time constraints. Md. Rule 8-511(b)(1)(C).

7. DPRA, as noted, intends to bring to the Court’s attention that the proposed

amendment to the Baltimore City Charter violates the prohibition against special laws in the Maryland Constitution. Md. Rule 8-511(b)(1)(D).

8. There are no persons or entities, other than the movant and its members, who made a monetary or other contribution to the preparation and submission of this *amicus curiae* brief. Md. Rule 8-511(b)(1)(E).

9. A copy of the *amicus curiae* brief is attached hereto.

10. In accordance with Md. Rules 8-431(f) and 1-351, Movant certifies that its counsel provided notice *via* email to all counsel of record that the instant motion would be filed. Counsel for Appellants indicated that they would not consent to the filing of the *amicus curiae* brief.

WHEREFORE, Movant Due Property Rights Alliance, Inc. respectfully requests that the Court enter an Order granting permission to file an *amicus curiae* brief.

Respectfully submitted,

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