

KATHRYN SZELIGA, et al., * IN THE
Plaintiffs * CIRCUIT COURT
v. * FOR
LINDA LAMONE, et al., * ANNE ARUNDEL COUNTY
Defendants * CASE NO.: C-02-CV-21-001816
* * * * *

NEIL PARROTT, et al., * IN THE
Plaintiffs * CIRCUIT COURT
v. * FOR
LINDA LAMONE, et al., * ANNE ARUNDEL COUNTY
Defendants * CASE NO.: C-02-CV-21-001773
* * * * *

**DECLARATORY JUDGMENT, PERMANENT INJUNCTION, AND ORDER OF
REMAND**

WHEREAS, two Complaints were filed challenging the 2021 Enacted Congressional Districts, hereinafter “the 2021 Plan,” and consolidated for further proceedings on February 22, 2022; and

WHEREAS, both Complaints sought declaratory and injunctive relief, among other requests; and

WHEREAS, after hearings were held on February 16, 2022 and February 23, 2022 regarding Motions to Dismiss each Complaint filed by the Defendants, Count I, alleging a violation of Maryland’s Free Election Clause under the Maryland Declaration of Rights, Art. 7, Count III, alleging a violation of Equal Protection under the Maryland Declaration of Rights, Art. 24, and

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Count IV, alleging a violation of Freedom of Speech under the Maryland Declaration of Rights, Art. 40, in the 1816 Complaint survived, as well as Counts I and II of the 1773 Complaint, alleging violations of Maryland's Free Election Clause under the Maryland Declaration of Rights, Art. 7 and Article III, Section 4 of the Maryland Constitution, respectfully, survived; and

WHEREAS, after a four-day trial on the merits held from March 15 to March 18, 2022, the matter was held *sub curia*.

NOW, THEREFORE, IT IS, by this Circuit Court for Anne Arundel County, Maryland, this 25th day of March, 2022, **DECLARED, ADJUDGED, and ORDERED**, for reasons set forth in the accompanying Memorandum Opinion:

(1) That the 2021 Plan is not consistent with the requirements of Article III, Section 4 of the Constitution that “[e]ach legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population” and that “[d]ue regard shall be given to natural boundaries and the boundaries of political subdivisions” and for that reason, the 2021 Plan is in violation of the Maryland Constitution and is invalid; and

(2) That the 2021 Plan is violative of Maryland's Free Election Clause, Article 7 of the Maryland Declaration of Rights, and for that reason, the 2021 Plan is in violation of the Maryland Constitution and Declaration of Rights and is invalid; and

(3) That the 2021 Plan is violative of Maryland's Equal Protection Clause, Article 24 of the Maryland Declaration of Rights, and for that reason, the 2021 Plan is in violation of the Maryland Constitution and Declaration of Rights and is invalid; and

(4) That the 2021 Plan is violative of Maryland's Free Speech Clause, Article 40 of the Maryland Declaration of Rights, and for that reason, the 2021 Plan is in violation of the Maryland Constitution and Declaration of Rights and is invalid; and

(5) That the 2021 Plan injures the Plaintiffs and is violative of the Maryland Constitution and Declaration of Rights and is invalid; and it is further

(6) **ORDERED**, that the declaratory judgment is hereby issued and entered determining that the 2021 Plan violates the Maryland Constitution and Declaration of Rights, totally, and in various Articles, such that the Plaintiffs have been injured and are entitled to equitable relief from implementation of the 2021 Plan; and it is further

(7) **ORDERED**, that in order to grant appropriate relief, pursuant to Section 15–502 of the Maryland Code, the Plaintiffs are hereby granted a permanent injunction refraining and enjoining the Defendants, their agents, officers, and employees from using, applying, administering, enforcing, or implementing the 2021 Plan in any future election in Maryland, including but not limited to the 2022 primary and general elections for Congress; and it is further

(8) **ORDERED**, that the 2021 Plan is remanded to the General Assembly to develop a new Congressional Plan that comports with Article III, Section 4 of the Maryland Constitution and the Voting Rights Act by March 30, 2022; and it is further

(9) **ORDERED**, that a hearing on the newly drawn Congressional Plan for review by this Court for its compliance with the Maryland Constitution and Declaration of Rights shall take place on April 1, 2022, at 9:00 a.m; and it is further

(10) **ORDERED**, that Plaintiffs' request for attorneys' fees and costs is **DENIED**; and it is further

(11) **ORDERED**, that this Court retains jurisdiction to issue any and all further orders necessary to comply with the mandates set forth herein.

3/25/2022
Date


LYNNE A. BATTAGLIA
Senior Judge