

INDEX OF EXHIBITS AND PAPERS FILED AND OR RECEIVED FROM THE CLERK'S OFFICES IN CECIL COUNTY CIRCUIT COURT AND CECIL COUNTY ORPHANS CT., AUGUST 10TH 2020 INVOLVING SHERRY EVELAND'S QUEST FOR JUSTICE

IN THE CECIL COUNTY TOTALLY C-O-R-R-U-P-T-E-D COURT SYSTEM WITH ADDITIONAL COPY TO BE FILED AND POSTED@SECRETJUSTICE.COM ALONG WITH VIDEO OF THE DAYS WITH ADDITIONAL COPY TO BE FURNISHED TO THE US ATTORNEY'S OFFICE, ALEXANDRIA, VIRGINIA.

[E-#]	DESCRIPTION OF EXHIBIT AND RELEVANCE TO THE RULE OF LAW Index Of 43, Plus Pages Of Filed Court Papers Now Public Record For Publishing	Date	Page #
[E-1]	Orphans Court receipt notice of appeal case #19 451 estate of Sherry's father attachment waiver of fees plus order	8/10/2020	P – 4-13
[E-3]	Date stamped copy, Circuit Court criminal case against Sherry Eveland appealed 1 of 5	8/10/2020	P – 14
[E-4]	Signed Court copies 1 of 5 cases being appealed for fraudulent dismissal. By Judge Baines had previously recused himself as an insider to theft and reported 18+ million dollars from the estate of James Ray Charles estate 19461 Orphans Ct., Cecil County.	8/10/2020	P – 15-18
[E-5]	Signed Circuit Court case being appealed, 141 for fraudulent dismissal. By Judge Baines had previously recused himself as an insider to theft from the estate	8/10/2020	P – 19
[E-6]	Clerk's fraudulent return of defendant motion for continuance sent by US mail, necessitating an appeal for procedural misconduct and fraud on the court by clerks	8/7/2020	P – 20
[E-7]	Criminal defendants opening statement preserve record in 4 criminal cases heard before the circuit court where judge from Howard County orphans court appeared without a oath of office or any legal power conferred under Constitution.	8/10/2020	P – 21-23
[E-8]	Related MD District Court case summary more false charges against defendant Sherry Ray Eveland awaiting jury trial as demanded.	5/11/2019	P – 25
[E-9]	Internet research by former attorney chose partial history of Cecil County agents committing fraud on the court and obstruction of justice	5/11/2019	P – 26
[E-10]	Court order by alleged Judge Emery A. Plitt retired judge from Harford County Maryland now orphans court judges without oath. Legal authority to appear no longer circuit judge working without authority case #0 – 07 – CR – 19 – 1554	8/10/2020	P – 27
[E-11]	Criminal defendants first notice of appeal Judge Baines alleged order of 8/8/2020 order void judge previously recused himself from all cases involving the defendant including all attachments and waiver of costs for indigent. Being forced into poverty due to the courts cover up of probate fraud by states attorneys office case #07 – CR – 19 – 1538	8/10/2020	P – 28-34
[E-12]	Additional criminal charges trumped up by the states attorney and his agents against Sherry Ray Eveland to cover-up states attorney James Dallmeyer's involvement in the theft of \$18 million from her father's estate	7/31/2019	P – 25 – 26 and
[E-13]	Court order by alleged Judge Emery A. Plitt retired judge from Harford County Maryland now orphans court judges without oath. Legal authority to appear no longer circuit judge working without authority case #0 – 07 – CR – 19 – 1554	8/10/2020	P – 27
[E-14]	Court order by alleged Judge Emery A. Plitt retired judge from Harford County Maryland now orphans court judges without oath. Legal authority to appear no longer circuit judge working without authority case #0 – 07 – CR – 19 – 1774	8/10/2020	P – 29
[E-15]	Criminal defendants first notice of appeal Judge Baines alleged order of	8/7/2020	P – 31-34

	8/8/2020 alleged order void judge Baines and previously recused himself from all cases involving the defendant Including all attachments and waiver of costs for indigent. Being forced into poverty due to the courts cover up of probate fraud by states attorney's office yet judge allegedly denies continuance in 6 criminal proceedings against Sherry not received by clerks office until 8/10/2020 clerk's own notes		
[E-16]	Defendants motion for postponement of proceedings cover page filed 8/7/2020 allegedly not received by clerk's office involved in cover-up until 8/10/2020 attachments in case file preserved for appeal	8/7/2020	P – 35-38
[E-17]	Further evidence Judge Baines intended to deny postponement to all 6 cases illegally scheduled proceedings notice receiving clerk change the date document was received 2 days after the order was allegedly issued denying relief	8/7/2020	P – 39-40
[E-18]	George McDermott as private attorney general reporting to the United States District Court for the District of Columbia fraud against the courts officers and agents in Cecil County Maryland using phony state prosecutors Stephen Ira Kroll to and falsely imprisoned defendant Sherry Ray Eveland with the help of Md. court insiders judge case # US attorney's office did nothing as the U.S.D.C. Judge Emmett Sullivan	9/18/2019	P – 41-44
[E-19]	. Criminal defendants completed request for waiver of prepaid costs for assembling the record for an appeal. Filed in 5 separate cases records always tampered with judge's order form which once again never can be verified	8/10/2020	P – 36-38
[E-20]	Criminal defendants request for waiver of prepaid appellant cost due to indigent status close by the theft of her father's estate and economic terrorism by the courts, which failed to provide honest services to our citizens 5 separate forms filed	8/10/2020	P – 39-- 40
[E-21]	Sherry Ray Eveland's motion for waiver of cost in the circuit court for Cecil County Maryland to take the matter on appeal to Maryland Court of special appeals estate number 19461 where alleged personal representative and his insiders had stolen over \$19 million from the estate, forcing the rightful heirs into poverty.	8/10/2020	P – 45-47
[E-23]	Circuit Court Judge Keith Baines vindictive denial of Sherry Eveland/defendants 7 motions for postponement after her attorney withdrew from the case, 7 days before trial and court date in adequate notice of hearings	8/10/2020	P – 48
[E-24]	Sherry Ray Eveland/alleged criminal defendants prehearing submittal of 4 motions in 4 separate cases called on record 8/10/2020 to preserve the record for appeal that the court was on notice under the Clearfield doctrine and failed to take action.	8/10/2020	P – 50-52
[E-25]	Sherry Ray Eveland's forced due to mental duress, physical abuse by husband, economic terrorism by the courts, and false persecution and prosecution by County judicial officers and states attorney's office covering up the theft of her father's estate	8/7/2020	P – 53-54
[E-26]	Finally Sherry Ray Eveland/rightful heir of the estate of James Ray Charles estate in orphans court files motion to reopen the case based on newly discovered evidence and fraud on the court by acting States Attorney James Dellmyer his client Leonard Wilson Esq., former states Attorney Ellis Rollins and former father's attorney William Riddle Along with numerous judges in the circuit and District Court engaged in the embezzlement of \$19 million of	6/28/2020	P – 55

	deceased assets, properties, stocks, bonds, safe-deposit boxes looted and the four-year law judicial terrorism against Sherry Ray Eveland in the rightful estate heirs. All documents filed with the court in our public record that need to be exposed to our citizens made public in exposed to all citizens		
[E-27]	Motion and opposition to James Dellmyer's fraudulent motion to dismiss orphans court case to cover-up is criminal conspiracy with other court officers of Cecil County Maryland and other states attorney's office who have been notified of the criminal misconduct other alleged state actors and agents involved in this ongoing criminal conspiracy.	3/10/2020	P -56-66

BEWARE CITIZENS OF THE STATE OF MARYLAND INC. AND ITS CORPORATE C-O-R-R-U-P-T-E-D COURTS & J-U-D-G-E-S

this is happening across the state every day members of American Bar Association and Maryland bar Association are leaving the assets of our citizens depriving them of their legal rights and committing judicial *Terrorism And Economic Terrorism Against We The People Of These United States Of American...?*



On and in defense of MCW NEWS, I George Mcdermott Post For The Record The Real History

Sherry Ray Eveland and her Quest for Justice which video record has been made, under the best evidence rule and is posted [@secretjustice.com](https://www.secretjustice.com) at the following program numbers. **109, 110, 111, 112, 113, 114, 125, 133, 141, 257, 258, 259, 260, 261, 262, 266, 267, 268, 281, 292, 293, 294, 295, 296, 316, 329, 332, 335 – a, 390, 391, 394, 395, 744s, 801d, 946, 972, 973, 1050, 1051, 1053, 1058, 1127, 1157, 1165, 1173, 1180, 1202, 1203, 1205-(b,c,d,e,+ f), 1257, 1268, 1314, 1404, 1422, 1428, 1446. 1447. 1448, 1449, 1450, 1451** these programs represent **videos of eyewitness testimony not hearsay evidence, as Dellmyer's statements are false and**

McDermott will testify under oath, in any court in support of the **FAMILIES Estate Being Looted Court Officers Of Cecil County Maryland Of \$18 Million Plus [E – 1] through [E – 27]**

ORIGINAL

OFFICIAL RECEIPT

REGISTER OF WILLS FOR CECIL COUNTY
CIRCUIT COURTHOUSE, 129 E MAIN ST, STE 102
ELKTON, MD 21921
Phone: (410)996-5330
Fax: (410)996-1039

Receipt # 37407

Estate of: JAMES R CHARLES

Paid by: GEORGE MCDERMOTT

Estate # 00000010481

August 10, 2020

CONTROVERSIAL FEE: NOTICE OF APPEAL

10.00

Total

\$10.00

Paid by: Cash

Reference #:

ALLYN NICKLE, REGISTER

Per: GAR, Deputy

ALL RETURNED CHECKS ARE SUBJECT TO A \$30.00 FEE

Receipt Copies Reflect the Current Register and Office Address

ORIGINAL

**IN THE ORPHANS' COURT FOR CECIL COUNTY, MARYLAND
AND THE REGISTER OF WILLS AND ESTATES**

In The Matter of the
Estate of James R. Charles
Direct Descendent
Successor Sherry Ray Eveland, Named
In the residuary estate of deceased
241 Smith Rd. Appearing Pro Se
Rising Sun, Maryland 21911
Vs.
Alleged personal representative
of deceased estate will
Leonard E. Wilson and Dawn M. Hall
149 E. Main St., Elkton, MD 21921.
224 Cherry Hill Rd, Elkton, MD 21921

Estate # **000000019461**

FILED WITH THE REGISTER OF WILLS
Cecil County, Maryland
September 2, 2014
CIRCUIT COURT NO. C-15-185
Adversary proceeding
Jury Demanded But Denied.
by judges. Please Baines and clerks

NOTICE OF APPEAL

**A NOTICE OF APPEAL IS FILED REGARDING THE ORDER RECEIVED AUGUST 8, 2020 BY ALLEGED JUDGE OF THE
BALTIMORE CITY ORPHANS COURT DATED AND TIME STAMPED AUGUST 6, 2020 PUT INTO THE RECORD
FICTITIOUSLY AUGUST 8, 2020 PURSUANT TO MARYLAND RULES TO MD RULE 8 – 201, 1 – 324, & 1 – 325.**

Comes now Sherry Ray Charles / alias Eveland hereafter is the petitioner as a direct descendent of James Ray Charles through an emergency motion to reopen the estate of her father's based on newly discovered evidence pursuant to **MARYLAND RULES 2 – 535 (B) (C), 6 – 312, 6 – 402, AND 8 – 103**. Wherein named and unnamed officers of the court's who have knowingly assisted in the alleged criminal misconduct of the alleged of attorney Leonard Wilson Esq alias as an alleged self appointed personal representative of the estate of James Ray Charles and His alleged criminal defense attorney/agent James Dallmeyer Esq./as an alleged defendants attorney for Leonard Wilson in his various capacities in the various corporate entities engaged in committing and forwarding fraud on the court and the estate of deceased beginning September 2, 2014.

1. Petitioner having received by USPS service this court's alleged latest order denying relief purportedly of August 6, 2020 received August 9, 2020. [E – 1] however, according to the court's docket as of August 6. The purported order emanating from a Sham Ct. in Baltimore city register of wills indicates that the order purportedly was issued July 28, 2020 but never sent to the petitioner Sherry Ray Eveland this is evident by the court's docket # [204] . Docket also shows that petitioner's was sent notices of recusal by the court clerk to judges of this court July 14, 2020. Baltimore city register of wills court and its alleged Judge Charles Bernstein has no current oath of office has once again committed fraud on the courts and deceased estate not to mention petitioner's family has been decimated by the misconduct of court officers who had a duty to prevent this miscarriage of justice under the Clearfield doctrine the court cannot deny complicity in the harmful misconduct of this court officers. Exemplar of court docket showing evidence. Why this case must be appealed.

02/20/2015	17	1211	PETITION TO CAVEAT		36
02/20/2015	18	1104	LIST OF INTERESTED PERSONS		1
02/23/2015	19	1131	NOTICE OF CAVEAT		1
02/23/2015	20	1133	PHILIP NOTICE OF CAVEAT		1
07/09/2020	194	1331	MEMORANDUM AND MOTION TO REOPEN ET CETERA	99	<input type="checkbox"/>
07/14/2020	195	1284	ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BILL HARRIS, ASSOCIATE JUDGE	4	<input type="checkbox"/>
07/14/2020	198	1284	ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BOB AMATO, ASSOCIATE JUDGE	4	<input type="checkbox"/>
07/15/2020	197	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BILL HARRIS, ASSOCIATE JUDGE	1	<input type="checkbox"/>
07/15/2020	198	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BOB AMATO, ASSOCIATE JUDGE	1	<input type="checkbox"/>
07/27/2020	199	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BILL HARRIS, ASSOCIATE JUDGE	2	<input type="checkbox"/>
07/27/2020	200	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BOB AMATO, ASSOCIATE JUDGE	2	<input type="checkbox"/>
08/04/2020	201	1272	MISCELLANEOUS CORRESPONDENCE RECEIVED	3	<input type="checkbox"/>
08/05/2020	202	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BOB AMATO, ASSOCIATE JUDGE	1	<input type="checkbox"/>
08/05/2020	203	1272	CERTIFICATE OF SERVICE OF REGISTER OF WILLS RESENDING ORDER OF COURT DATED JULY 14 2020 OF RECUSAL- BILL HARRIS, ASSOCIATE JUDGE	1	<input type="checkbox"/>
08/05/2020	204	1284	ORDER OF COURT DATED JULY 28 2020 TO DENY EMERGENCY MOTION WITH PREJUDICE	2	<input type="checkbox"/>

Latest data as of: 8/5/2020 4:00:00 PM (rownetweb)

Total Pages Requested: 0
(\$0.50 per page) x \$0.50
Total Page Charge: \$0.00
Total Fees: \$0.00

Motion to reopen & memorandum

Filed illegally denied by Circuit Court judges

Latest judges to recuse themselves

Order, never received by petitioner will appeal.. Unnamed judges decision

Petitioner is also filing her completed IFP form pursuant to Maryland rule **RULE 8 – 201, 1 – 324, & 1 – 325.** Which is attached Defendant incorporates by reference pursuant to Maryland rules 2 – 303 (d) all motions pleadings and papers court orders and dockets in the including all related proceedings in the courts of appeal which have also been victims of fraudulent misconduct of the alleged personal representative and his associates. To preserve the record for appeal to the US Supreme Court.

Respectfully

Sherry Ray Eveland

certificate of service . Sherry Ray Eveland certify that I have asked did the court and intervener George Mc Dermott to file this notice of appeal and to deliver a copy of the notice to the personal representatives legal counsel of record, James Dallmeyer Esq. at 129 E. Main St., Elkton, MD, 3rd floor’s offices on 10/8/2020 As the interim states attorney for Cecil County Maryland pursuant to the Maryland rules of court service by _____ next friend of the court as the states attorney’s office as engaged in services of a private individual to prosecute petitioner under color of law and authority.

For the record, Judge Keith Baines violated the rules of the court and petitioner's right to a fair trial and right to a jury trial by denying jury trial demand. Of petitioner's see docket entries 19. 20 and 21. Petitioner is also filed a motion for removal of all criminal cases, and Circuit Court to Federal Ct. in Virginia as justice cannot be served state of Maryland. The record of the court speaks for itself.



IN THE ORPHANS COURT FOR CECIL COUNTY MARYLAND

Located at 129 E. Main St., Elkton, MD Case No. C-0 Estate number 19461

IN THE MATTER OF: In The Matter Of The Estate Of James Ray Charles Motion To Reopen

REQUEST FOR WAIVER OF PREPAID COSTS (Md. Rule 1-325)

I, Sherry Ray Eveland, wish to file a complaint, petition, or other documents which I have completed and attached. I am unable to prepay the prepaid costs in this matter because of poverty.

Affidavit of Income

I respectfully submit that:

- 1. There are one disabled family members living in my household, including myself.

(Do not include renters or temporary guests).

- 2. The total gross household income (before taxes) is \$ 800 (total income earned by all persons in the household) per MONTH.

- 3. The gross household income (before taxes) is from the following sources

(list amounts before taxes) per MONTH:

Table with 2 columns: Source of Income, Amount. Rows include Wages, Commissions/Bonuses, Social Security/SSI, Retirement Income, Unemployment Insurance, Temporary Cash Assistance, Alimony/Spousal Support, Rent received from tenants, Any Other Income.

- 4. I own the following property.

(Do not list your home, one vehicle, and/or personal items in your home):

Table with 2 columns: Property Description, Value. Rows include NONE, Real estate other than principal home, Other vehicles including boats, Bank accounts, Stocks or other securities, Other property (describe).

5. I owe the following debts:

NONE

Credit Card: _____ Amount Owed: \$ _____ Monthly Payment: \$ _____

Car Loan: _____ Amount Owed: \$ _____ Monthly Payment: \$ _____

Other Debt: Hospital Emerge Amount Owed: \$ \$70,000 plu Monthly Payment: \$ disputed

6. Other information to demonstrate my inability to prepay the required costs:

Petitioner victim of spousal abandonment, caregiver for disabled brother who on victims of a massive probate fraud of father's estate. See [E - 2] notice of appeal case involved the theft of \$18 million plus. Of the deceased estate by court officers and agents in Cecil County Maryland.

For these reasons, I request a waiver of the prepaid costs.

I understand that I may have to pay these costs at the end of the case, unless the court grants a final waiver of open costs, and that if I want a final waiver of open costs I must request the waiver at the conclusion of the action in accordance with Maryland Rule 1-325(f)(2)(A).

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

Party Signature
Sherry Ray Eveland

Party Name
241 Smith Rd.

Address
rising Sun, MD 21911

City, State, Zip

for no 920-4959

Telephone / Fax
none

E-mail
August 10, 2020

Date

Attorney Certification (To be completed by your lawyer, if you are represented).

Not applicable

Petitioner is proceeding pro se as court records prove /reveal that her retained attorney withdrew from 4 criminal cases involving petitioner on July 28, 2020 forcing the petitioner to contact public defenders office. In the interim, petitioner filed for motion for continuance, motion for the court to identify jurisdiction and legal standing of judicial officers and also notice of removal of all cases to federal court due to the fact that all judges of Cecil County had recuse themselves easier in this case or previous cases related to the fraudulent mishandling of probate case 19461, which is also being appealed. Petitioner pro se discovered latest order of **That Court [DE #- 204] Petitioner Never**

Address

City, State, Zip

Date

Petitioner supplies the court with. Attachment #- [E - 1] a copy of disenfranchised rightful heir to the estate of James Ray Charles estate evidencing the consequential damages caused by this court's failure to prevent pushing the defendant into poverty, economic terrorism at the hands of the interim states attorney and his associates and assigns not counting the mental and physical duress caused by 5 years of legal terrorism on part of the alleged personal representative and his inside officers court. See pages 6 through 10.



IN THE ORPHANS COURT FOR CECIL COUNTY MARYLAND

Located at 129 E. Main St., Elkton, MD Case No. Estate number 19461

IN THE MATTER OF In The Matter Of The Estate Of James Ray Charles Motion To Reopen
REQUEST FOR WAIVER OF PREPAID COSTS

ORDER REGARDING REQUEST FOR WAIVER OF PREPAID COSTS

Upon consideration of the Request for Waiver of Prepaid Costs submitted by Sherry Ray Eveland Criminal Defendar, and any further documentation as required or authorized by Rule 1-325 or other applicable law,

THE COURT FINDS THAT:

The party named above:

- Meets the financial eligibility guidelines of the Maryland Legal Services Corporation.
Does NOT meet the financial eligibility guidelines.

The party named above:

- Is unable by reason of poverty to pay the prepaid costs.
Is NOT unable by reason of poverty to pay the prepaid costs.

The claim, appeal, application or request for process

- does not appear, on its face, to be frivolous.
DOES appear, on its face, to be frivolous.

Other findings:

THE COURT ORDERS that the waiver is:

- GRANTED
DENIED. You have 10 days from the date of this order to pay the costs. If the unwaived costs are not paid in full within 10 days, the pleading or papers filed will be considered withdrawn.

Date

Judge's Signature

ID Number



**IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION**

**In The Matter Of
STATE OF MARYLAND INC. ET AL**

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

* **This Court Case #**
*
* **Case Numbers:**
* **C-07-CR-19-001774**
* **C-07-CR-19-000350**
*
* **C-07-CR-19-001538**
* **C-07-CR-20-000141**
*

DEFENDANTS MOTION AND SUBMITTAL OF PRETRIAL OPENING STATEMENT IN THE ABOVE FOR CASES UNDER MARYLAND CRIMINAL CODE 4 – 301 AND 4 – 311. TO PRESERVE THE RECORD FOR APPEAL AS THE DEFENDANT IS BEING FORCED TO APPEAR ON AUGUST 10, 2020 WITHOUT LEGAL COUNSEL AND IN THAT ALLEGED STATES ATTORNEY’S AGENT STEPHEN IRA KROLL HAS STATED ON THE RECORD IS HIS INTENTION TO HAVE DEFENDANTS BOND REVOKED AND DEFENDANT SENT TO JAIL. EVEN THOUGH HIS CREDENTIALS I NOT BEEN SUPPLIED TO THE DEFENDANT OR TO THE COURT.

Comes now Sherry Ray Eveland hereafter defendant pursuant pro se at the time unrepresented by attorney rule 1 – 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, plus false imprisonment and fictitious judgments against defendant in the above 4 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th, 5th and 7th amendment rights defendant has a right to an opening statement which has been prewritten and filed with the court prior to this proceeding. In anticipation state will attempt to violate the rules and not allow defendant the right to an opening statement on the record.

1. For the record defendant has challenge the jurisdiction of the court and the alleged states attorney’s legal standing through the motion practice of this court pursuant to Md. MD Code, Criminal Procedure, § 15-408. Cecil County further defendant has filed a motion with this court asking that the alleged states attorney’s agent present in open court certificate of appointment to this court and a copy of the required state bond according to MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office..

2. The court’s fully aware that defendant has had retain counsel. Who withdrew this representation according to the court records on July 27, 2020. It was not till this time that defendant was made aware of this hearing today and defendant is not ready for trial. Having contacted the office of Public defender as per court direction on 28 August in accordance with

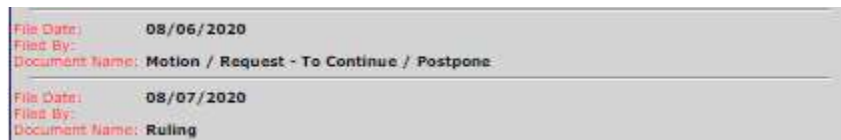
MD Crim Pro Code § 16-102 (a) I was told 15 days, notice is required before request reviewed .

3. For the record. The court said on the last hearing that no continuance would be granted, and that if I did defendant appeared without an attorney. The proceedings would be moved forward with a record defendant made a good-faith effort which can be confirmed by the office of Public defender, however, out of an abundance of caution, the defendant noticed that the court issued a ruling/order and placed it on the court docket for the record the latest order of this court of 7/27/2020 a notice of appeal of the order is being filed or has been filed with this court clerk this 10th day of August 2020 as the court has not responded to motion papers demanding verification of legal standing of court its officers and states attorneys, representatives prosecuting this case.

4. Defendant is entitled to know the alleged date that the states agent Stephen Ira Kroll was appointed by this judge or another Circuit Court judge under MD Code, Criminal Procedure, § 15-109 **Appointment by circuit court** (a) before this proceeding proceeds any further as the case is already on appeal and this court has no jurisdiction or authority without producing oath of office and judicial bond along with the states attorney's articles of appointment and required state bond pursuant to MD Code, Criminal Procedure, **104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office;

5. Plaintiff alleged agent is appearing in court this 10th day of August 2020 as a criminal prosecutor to prosecute myself as the defendant. Even though the court is fully aware that was I as a pro se litigant now unaware of the existence of the notices to appear until the 27th day of July 2020 and a further receipt by USPS mail August 4th notice which is not in compliance with the court rules .

6. Your Honor the courts fully aware that motion for removal and outstanding motion for continuance filed with this court which clearly indicate defendant is been forced into poverty by the misconduct of the states attorney's office and now it appears by the most recent docket entry of August 7, 2020 the court has made a ruling on the defendants August 6, 2020 motion. However, there are still several outstanding motions that have not been ruled on regarding this court's jurisdiction and authority emphasis supplied . As the court is not using Docket number numbers as required by law. Defendant is chosen to prefiled her opening statement for the record of appeal.



7. Your Honor overview of case search.com reveals that all 4 cases above were ruled on and allegedly denied as the clerk of the court stated they would be without court waiting for plaintiff's agents response investor court had ex parte communication with the plaintiff without defendant being notified for the record to court is fully aware that defendants attorney was allowed to withdraw from these 4 cases, less than 10 days prior to the courts ruling on plaintiff's motion for continuance of docketed into the record 8/6/2020 now preserved for appeal which the plaintiff's filing today once the court

provides a copy of the purported order the court however has not ruled on the motion for removal challenging the jurisdiction of the court and the motives of the states attorney's office and its agents, alleged Stephen Ira Kroll alleged specially assigned.

8. **In summation Your Honor** the defendant has a right to know whether or not the alleged agent for the state is in this court lawfully in accordance with the above statutes and also whether the state or this court has assessed judgment liens against the remaining assets of the estate of James Ray Charles defendants deceased father who has had over \$18 million stolen from the estate with the help of the states attorney's office as numerous court records a test to the court should not profit over the failure to provide honest services in allowing the defendant to file a criminal complaint states attorney's office and the Elkton police department took a complaint in front of 2 witnesses and said that it would never be forwarded due to the fact that Ellis Rollins would never investigate a lawyer in that town belonging to his Bar Association.

9. Defendant has a right to know whether the court's charges will result in a mean against the defendant's property and the estate of James Ray Charles based on the inappropriate actions of this court and its states attorney's office. See MD Code, Criminal Procedure, § 15-109 +§ 16-212. **Liens on real or personal property**

Reasonable value of services (a) defendant contest any of these claims as the state has failed to provide legal

MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide - 106.

a corporate surety bond payable to the State in the amount of \$5,000. Conditions of bond (b) The bond

shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) e court and

accounting for funds and property received under color of the office.

orate agents

responsible who have failed to provide honest services in accordance with their oath of office and the Constitution of the state of Maryland as well as the United States prevailing laws and Bill of Rights. Once again this court lacks jurisdiction until also offices are produced and state bonds are identified for the courts agents courts agents and assigns respectfully submitted

Sherry Ray Eveland

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court By _____

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) "State's Attorney" means the individual holding that office under Article V, § 7 of the Maryland Constitution.

MD Code, Criminal Procedure, **§ 15-102. Duty to represent State** Subject to Title 14 of this article, a State's Attorney shall, in the county served by the State's Attorney, prosecute and defend on the part of the State all cases in which the State may be interested.

MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) Each State's Attorney shall annually provide a corporate surety bond payable to the State in the amount of \$5,000. **Conditions of bond**

(b) The bond shall be conditioned on the State's Attorney faithfully: (1) performing the duties of the office; and (2) accounting for funds and property received under color of the office.

MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County



IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of	*	This Court Case # C-07-CR-19-001774
STATE OF MARYLAND INC, ET AL	*	
	*	
VS.	*	
	*	
Sherry Ray Eveland	*	
241 Smith Rd. Rising Sun,	*	
Maryland 21911	*	
Defendant	*	

DEFENDANT'S NOTICE OF APPEAL OF THE COURTS LATEST FINAL ORDER ORDER/RULING RELIEF AND MOTION FOR CONTINUANCE, AND THE COURTS FORCING UNREPRESENTED DEFENDANT TO APPEAR 11 DAYS AFTER HER ATTORNEY WAS GRANTED A MOTION TO WITHDRAW AT WHICH TIME DEFENDANT WAS MADE AWARE OF THE SCHEDULED HEARING THIS , 8/10/9 2020 pursuant to MD rule B - 201, 1 - 324, & 1 - 325.

Comes now Sherry Ray Eveland hereafter defendant through the motion practice of this court and notifying the clerk of the court and prosecuting team of the Cecil County Maryland states Attorney's office , that having discovered on 8/8/2020 evidence on the Maryland Judiciary case or.com orders issued having received the formal orders of this court allowing the defendants criminal lawyer to withdraw from the above-captioned case and 6 more cases [1], C-07-CR-19-001774, [2] C-07-CR-19-000350, [3] C-07-CR-19-00538, [4] C-07-CR-20-000141, These cases all involved defective indictments and prosecutors misconduct prosecuting officers all who have been named in a RICO conspiracy filed in companion case in Cecil County Orphans Court Case # Estate # 000000019461 which the court has also ready been notified that case is being removed to federal court also as motions and notification papers have been filed in all 4 of the above-captioned cases.

1. This **Notice Of Appeal** being filed, Consistent with the rules court MD rule B - 201, 1 - 324, & 1 - 325. Clerk you will find an attached copy court docket as of 8/9/2020 as evidence that the hearing notices were sent to criminal defendant as of 7/29/2020 and further that several of the motion papers filed with this office have not been placed on the docket in violation of court rules.

11/23/2020 10:11 AM
 CECIL COUNTY MARYLAND

IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of
STATE OF MARYLAND INC, ET AL

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

* This Court Case #

* Case Numbers:

* C-07-CR-19-001774

* C-07-CR-19-000350

*

* C-07-CR-19-001538

* C-07-CR-20-000141

*

DEFENDANTS MOTION AND SUBMITTAL OF PRETRIAL OPENING STATEMENT IN THE ABOVE FOR CASES UNDER MARYLAND CRIMINAL CODE 4 - 301 AND 4 - 311, TO PRESERVE THE RECORD FOR APPEAL AS THE DEFENDANT IS BEING FORCED TO APPEAR ON AUGUST 10, 2020 WITHOUT LEGAL COUNSEL AND IN THAT ALLEGED STATES ATTORNEY'S AGENT STEPHEN IRA KROLL HAS STATED ON THE RECORD IS HIS INTENTION TO HAVE DEFENDANTS BOND REVOKED AND DEFENDANT SENT TO JAIL EVEN THOUGH HIS CREDENTIALS I NOT BEEN SUPPLIED TO THE DEFENDANT OR TO THE COURT.

Comes now Sherry Ray Eveland hereafter defendant pursuant pro se at the time unrepresented by attorney rule 1 - 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, plus false imprisonment and fictitious judgments against defendant in the above 4 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th, 5th and 7th amendment rights defendant has a right to an opening statement which has been prewritten and filed with the court prior to this proceeding. In anticipation state will attempt to violate the rules and not allow defendant the right to an opening statement on the record.

1. For the record defendant has challenge the jurisdiction of the court and the alleged states attorney's legal standing through the motion practice of this court pursuant to Md. MD Code, Criminal Procedure, § 15-408. Cecil County further defendant has filed a motion with this court asking that the alleged states attorney's agent present in open court certificate of appointment to this court and a copy of the required state bond according to MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) which states Conditions of bond (b) The bond shall be conditioned on

the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office..

2. The court's fully aware that defendant has had retain counsel. Who withdrew this representation according to the court records on July 27, 2020. It was not till this time that defendant was made aware of this hearing today and defendant is not ready for trial. Having contacted the office of Public defender as per court direction on 28 August in accordance with

MD Crim Pro Code § 16-102 (a) I was told 15 days, notice is required before request reviewed .

3. For the record. The court said on the last hearing that no continuance would be granted, and that if I did defendant appeared without an attorney. The proceedings would be moved forward with a record defendant made a good-faith effort which can be confirmed by the office of Public defender, however, out of an abundance of caution, the defendant noticed that the court issued a ruling/order and placed it on the court docket for the record the latest order of this court of 7/27/2020 a notice of appeal of the order is being filed or has been filed with this court clerk this 10th day of August 2020 as the court has not responded to motion papers demanding verification of legal standing of court its officers and states attorneys, representatives prosecuting this case.

4. Defendant is entitled to know the alleged date that the states agent Stephen Ira Kroll was appointed by this judge or another Circuit Court judge under MD Code, Criminal Procedure, § 15-109 **Appointment by circuit court** (a) before this proceeding proceeds any further as the case is already on appeal and this court has no jurisdiction or authority without producing oath of office and judicial bond along with the states attorney's articles of appointment and required state bond pursuant to MD Code, Criminal Procedure, **104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office;

5. Plaintiff alleged agent is appearing in court this 10th day of August 2020 as a criminal prosecutor to prosecute myself as the defendant. Even though the court is fully aware that was I as a pro se litigant now unaware of the existence of the notices to appear until the 27th day of July 2020 and a further receipt by USPS mail August 4th notice which is not in compliance with the court rules .

6. Your Honor the courts fully aware that motion for removal and outstanding motion for continuance filed with this court which clearly indicate defendant is been forced into poverty by the misconduct of the states attorney's office and now it appears by the most recent docket entry of August 7, 2020 the court has made a ruling on the defendants August 6, 2020 motion. However, there are still several outstanding motions that have not been ruled on regarding this court's jurisdiction and authority emphasis supplied . As the court is not using Docket number numbers as required by law. Defendant is chosen to prefiled her opening statement for the record of appeal.

File Date:	08/06/2020
Filed By:	
Document Name:	Motion / Request - To Continue / Postpone
File Date:	08/07/2020
Filed By:	
Document Name:	Ruling

7. Your Honor overview of case search.com reveals that all 4 cases above were ruled on and allegedly denied as the clerk of the court stated they would be without court waiting for plaintiff's agents response investor court had ex parte communication with the plaintiff without defendant being notified for the record to court is fully aware that defendants attorney was allowed to withdraw from these 4 cases, less than 10 days prior to the courts ruling on plaintiff's motion for continuance of docketed into the record 8/6/2020 now preserved for appeal which the plaintiff's filing today once the court provides a copy of the purported order the court however has not ruled on the motion for removal challenging the jurisdiction of the court and the motives of the states attorney's office and its agents, alleged Stephen Ira Kroll alleged specially assigned.

8. **In summation Your Honor** the defendant has a right to know whether or not the alleged agent for the state is in this court lawfully in accordance with the above statutes and also whether the state or this court has assessed judgment liens against the remaining assets of the estate of James Ray Charles defendants deceased father who has had over \$18 million stolen from the estate with the help of the states attorney's office as numerous court records a test to the court should not profit over the failure to provide honest services in allowing the defendant to file a criminal complaint states attorney's office and the Elkton police department took a complaint in front of 2 witnesses and said that it would never be forwarded due to the fact that Ellis Rollins would never investigate a lawyer in that town belonging to his Bar Association.

9. Defendant has a right to know whether the court's charges will result in a mean against the defendant's property and the estate of James Ray Charles based on the inappropriate actions of this court and its states attorney's office. See MD Code, Criminal Procedure, § 15-109 +§ **16-212. Liens on real or personal property**

Reasonable value of services (a) defendant contest any of these claims as the state has failed to provide legal

MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide - 106.

a corporate surety bond payable to the State in the amount of \$5,000. Conditions of bond (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) e court and accounting for funds and property received under color of the office.

corporate agents responsible who have failed to provide honest services in accordance with their oath of office and the Constitution of the state of Maryland as well as the United States prevailing laws and Bill of Rights. Once again this court lacks jurisdiction until also offices are produced and state bonds are identified for the courts agents courts agents and assigns respectfully submitted

Sherry Ray Eveland

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court By _____

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) “State's Attorney” means the individual holding that office under Article V, § 7 of the Maryland Constitution.

MD Code, Criminal Procedure, **§ 15-102. Duty to represent State** Subject to Title 14 of this article, a State's Attorney shall, in the county served by the State's Attorney, prosecute and defend on the part of the State all cases in which the State may be interested.

MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) Each State's Attorney shall annually provide a corporate surety bond payable to the State in the amount of \$5,000. **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office.

MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County

IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of
STATE OF MARYLAND INC. ET AL

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

This Court Case #

Case Number:

00141

C-07-CR-20-000141

~~C-07-CR-19-000774~~
~~C-07-CR-19-000350~~

~~C-07-CR-19-000538~~
C-07-CR-20-000141

DEFENDANT'S NOTICE OF APPEAL OF THE COURTS LATEST FINAL ORDER
ORDER/RULING RELIEF AND MOTION FOR CONTINUANCE, AND THE COURTS FORCING UNREPRESENTED
DEFENDANT TO APPEAR 11 DAYS AFTER HER ATTORNEY WAS GRANTED A MOTION TO WITHDRAW AT
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Defendant Sherry Ray Eveland.

Certificate of service, I _____ certify that a true and correct copy of this notice of
appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with
attachments in compliance with the rules 1-323 of this court By _____

Sherry Ray Eveland

FILED
10
P
19
23
Cecil County
Maryland



**CIRCUIT COURT FOR CECIL COUNTY,
MARYLAND**

129 East Main Street
Elkton, Maryland 21921

Main: 410-996-1021

To: SHERRY RAY EVELAND
241 SMITH ROAD
RISING SUN, MD 21911

STATE OF MARYLAND VS SHERRY RAY EVELAND

Case Numbers:

C-07-CR-19-000141

C-07-CR-19-002350

C-07-CR-19-001330

Date: 08/07/2020

NOTICE OF PAPERS RETURNED

The enclosed papers are returned because:

1. The case number provided are incorrect, they do not belong to defendant who filed.

A handwritten signature in cursive script that reads "Charlene M. Notarcola".

Charlene M. Notarcola
Clerk of the Circuit Court

IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of
STATE OF MARYLAND INC. ET AL.

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

* This Court Case #
*
* Case Numbers:
* C-07-CR-19-001774
* C-07-CR-19-000350
*
* C-07-CR-19-001538
* C-07-CR-20-000141
*

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Comes now Sherry Ray Eveland hereafter defendant pursuant pro se at the time unrepresented by attorney rule 1-308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, plus false imprisonment and fictitious judgments against defendant in the above 4 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th, 5th and 7th amendment rights defendant has a right to an opening statement which has been prewritten and filed with the court prior to this proceeding. In anticipation state will attempt to violate the rules and not allow defendant the right to an opening statement on the record.

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4. Defendant is entitled to know the alleged date that the states agent Stephen Ira Kroll was appointed by this judge or another Circuit Court judge under MD Code, Criminal Procedure, § 15-109 **Appointment by circuit court** (a) before this proceeding proceeds any further as the case is already on appeal and this court has no jurisdiction or authority without producing oath of office and judicial bond along with the states attorney's articles of appointment and required state bond pursuant to MD Code, Criminal Procedure, **104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office;

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File Date:	08/06/2020
Filed By:	
Document Name:	Motion / Request - To Continue / Postpone
File Date:	08/07/2020
Filed By:	
Document Name:	Ruling

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8. **In summation Your Honor** the defendant has a right to know whether or not the alleged agent for the state is in this court lawfully in accordance with the above statutes and also whether the state or this court has assessed judgment liens against the remaining assets of the estate of James Ray Charles defendants deceased father who has had over \$18 million stolen from the estate with the help of the states attorney's office as numerous court records a test to the court should not profit over the failure to provide honest services in allowing the defendant to file a criminal complaint states attorney's office and the Elkton police department took a complaint in front of 2 witnesses and said that it would never be forwarded due to the fact that Ellis Rollins would never investigate a lawyer in that town belonging to his Bar Association.

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MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide - 106.

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Sherry Ray Eveland

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court By _____

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) “State's Attorney” means the individual holding that office under Article V, § 7 of the Maryland Constitution.

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MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County

DISTRICT COURT OF MARYLAND FOR CECL COUNTY

CASE SUMMARY
CASE NO. D-032-CR-19-001878

State of Maryland vs. SHERRY RAY EVELAND



Location: Cecil
 Courtroom: 08/01/2019
 Criminal Complaint Number: 0751001

CASE INFORMATION

Offense	Status	Deg	Date	Case Type	Criminal - SOC - On View Arrest
Jurisdiction: Cecil County 1. INDECENT EXPOSURE TN: 19001076341	CH-11-107	M	05/31/2019		Case Status: 08/01/2019 Open

Related Cases:
 KH6894 (Same Incident)
 KH6895 (Same Incident)
 KH6896 (Same Incident)

CASE ASSIGNMENT

Current Case Assignment	
Case Number	D-032-CR-19-001878
Court	Cecil
Date Assigned	08/01/2019

PARTY INFORMATION

Plaintiff	State of Maryland	Lead Attorney State's Attorney - Cecil County District Court 410-996-2850(W)
Defendant	EVELAND, SHERRY RAY	KLENK, THOMAS E. L. Notified 410-996-2850(W)
Officer Arresting/Complainant	JOSEV, STEFFON	

EVENTS & ORDERS OF THE COURT

DATE	EVENTS & ORDERS OF THE COURT	STATUS
08/01/2019	Document Issued (Judicial Officer: Lambert, Randolph)	
08/01/2019	Initial Appearance (Judicial Officer: Lambert, Randolph) AND HOW AND NOT ENGAGE IN CRIMINAL ACTIVITY - APPEAR IN COURT	
08/01/2019	Defendant Waived Attorney at Initial Appearance (Judicial Officer: Lambert, Randolph)	
08/01/2019	Bond Setting Release on Recognizance Conditions - Commissioner Release Condition - Commissioner Release Condition	
08/01/2019	Public Defender Eligibility Certificate FINAL COPY	
08/12/2019	Attorney Appearance Filed -97	



CIRCUIT COURT FOR CECIL COUNTY

CR AO JA

COPY

Date August 10, 2020 Clerk RCD Judge Emory A Pitt Jr (EMAPL)
Case Number G-07-CR-19-001554 State vs Sherry Ray Evertz

Hearing Type Status Conference
Prosecutor Kroll Defense Attorney Public Defender
 Recorded on CourtSmart Court Reporter No Court Reporter present

Defendant present not present
 Address: _____ Counsel heard Other _____
 Defendant failed to appear Issue Bench Warrant Bond set at: _____
 Withdraw Bench Warrant Perfect Bond Hold Without Bond Bond to be determined

Case Postponed Postponement Requested by State Defendant Joint
 Granted for good cause Denied New Date: _____
 Case No/le Prossed by the State Matter stands for trial No action

Case marked Stet Hida waived Condition(s) of Stet _____
 Obey all laws Additional conditions: _____
 Other: _____

Motions Withdrawn with prejudice without prejudice Petition for Expungement

PLEA: Binding Plea form submitted Granted Denied

Guilty as to count(s): _____
 Not Guilty Agreed Statement of Facts as to count(s): _____

Afford Plea as to count(s): _____
 Not Guilty as to count(s): _____

Nolo-Contendere as to count(s): _____

DISPOSITION: Verdict: Guilty Verdict: Not Guilty Verdict: Nolo-Contendere
 Nolo Proas remaining counts at sentencing Pre-Sentence Investigation Ordered

Bond: _____ Sentencing Date: _____
SENTENCING: Strike guilty verdict. Court grants Probation before Judgment; consent form signed

CI: Cecil County Detention Center (CCDC) Division of Corrections (DOC)
For a period of _____ all suspended all but _____ suspended

Commencing: _____
 Credit for time served: _____ To be served locally at CCDC
 Domestically related Work Release Privileges if qualified and available

PROBATION: Upon Release
 Placed on supervised unsupervised probation for a period of _____ with standard conditions

Pay supervision fee Supervision fee waived until employed for: _____
 Alcohol Drug evaluation, therapy, treatment and testing as recommended

Totally abstain from the use of alcohol, illegal substances, and abusive use of prescription drugs Random testing
 Code 79 provision Mental health evaluation and therapy

Do not operate a motor vehicle without a valid license / after consuming alcohol
 No contact with victim(s) Agent may impose sanctions/conditions as deemed necessary

Restitution in the amount of: _____
Other: _____
 Court costs waived
 Court costs due: _____ Special costs waived
 Free: _____ Special costs due: _____ Filing of indigency

IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of

* This Court Case # C-07-CR-19-001538

STATE OF MARYLAND INC. ET AL

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

DEFENDANT'S NOTICE OF APPEAL OF THE COURTS LATEST FINAL ORDER
ORDER/RULING RELIEF AND MOTION FOR CONTINUANCE, AND THE COURTS FORCING UNREPRESENTED
DEFENDANT TO APPEAR 11 DAYS AFTER HIS ATTORNEY WAS GRANTED A MOTION TO WITHDRAW AT
WHICH TIME DEFENDANT WAS MADE AWARE OF THE SCHEDULED HEARING THIS , 8/10/9 2020 pursuant
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1. This Notice Of Appeal being filed, Consistent with the rules court MD rule 8 - 201, 1 - 324, & 1 - 325. Clerk you will find an attached copy court docket as of 8/9/2020 as evidence that the hearing notices were sent to criminal defendant as of 7/29/2020 and further that several of the motion papers filed with this office have not been placed on the docket in violation of court rules.

Court Docket exact same in all 4 of the cases being taken on appeal case #'s [1] C-07-CR-19-001774, [2] C-07-CR-19-000350, [3] C-07-CR-19-00538, [4] C-07-CR-20-000141, the court can take judicial notice that there are no case numbers on the 4 cases as the attached Exemplar proves.

Summons issued delivered	07/21/2020 Web (Business/Pleading - Electronic Service)
Missing motions not filed	07/21/2020 General Assignment Section
Alleged ruling being appealed	07/21/2020 Scheduling Sheet
	08/06/2020 Motion / Request - To Continue / Reschedule
	08/07/2020 Ruling

2. Defendant now respectfully request a copy of the ruling/order of 8/07/2020 in the above for caption cases to be attached to defendants/appellant's notice of appeal case #'s [1], C-07-CR-19-001774, [2] C-07-CR-19-000350, [3] C-07-CR-19-00538, [4] C-07-CR-20-000141, this court is consolidated all 4 cases this notice of appeal covers all court cases under MD rule 8 – 201 (a), attached is the appellant petition for waiver of costs due to interagency. The court is fully aware that appeal is activated by the filing of a notice of appeal which is effective when the clerk's received it not when the fee is paid. *Bond vs. Sullivan*, 157 Md. App. 340, 851 A.2d 598, (2004) Md. App. LEXIS 96 (2004). [1] C-07-CR-19-001774, [2] C-07-CR-19-000350, [3] C-07-CR-19-00538, [4] C-07-CR-20-000141.

3. Defendant incorporates by reference pursuant to Maryland rules 2 – 303 (d) all motions pleadings and papers court orders and dockets in the 4 consolidated criminal cases defendant is being forced to defend 8/10/2020 case # [1], C-07-CR-19-001774, [2] C-07-CR-19-000350, [3] C-07-CR-19-00538, [4] C-07-CR-20-000141, defendant may be falsely incarcerated and has preassigned notices of appeal for filing by next friend of the court George McDermott in her possible absence.

Respectfully submitted

Defendant Sherry Ray Eweland.

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 125 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court. By _____

IN THE MATTER OF: State of Maryland et al vs. Sherry Ray England
Plaintiff(s) Defendant

REQUEST FOR WAIVER OF PREPAID COSTS
(Md. Rule 1-325)

I, Sherry Ray England, wish to file a complaint, petition, or other documents which I have completed and attached. I am unable to prepay the prepaid costs in this matter because of poverty.

Affidavit of Income
 I respectfully submit that:

- There are 03 ~~dependent~~ ^{member} family members living in my household, including myself.
(Do not include roomers or temporary guests)
- The total gross household income (before taxes) is \$ 5,000
(total income earned by all persons in the household) per WEEK / MONTH / YEAR.
- The gross household income (before taxes) is from the following sources
(list amount before taxes per WEEK / MONTH / YEAR.

 - Wages _____ \$ none
 - Commission/Earnings _____ \$ none
 - Social Security/SSI _____ \$ none
 - Retirement Income _____ \$ none
 - Unemployment Insurance _____ \$ none
 - Temporary Cash Assistance _____ \$ none
 - Alimony/Spousal Support _____ \$ none
 - Rent received from tenants _____ \$ none monthly [0-]
 - Any Other Income *(Do not include food stamps, SSI, IV)* _____ \$ none

- I own the following property:
(Do not list your home, one vehicle, and/or personal items in your home)
 - NONE
 - Real estate other than principal home _____ Value: \$ unknown [0-]
 - Other vehicles including boats _____ Value: \$ none
 - Bank accounts _____ Balance: \$ unknown
 - Stocks or other securities _____ Value: \$ unknown [0-]
 - Other property (describe) _____ Value: \$ unknown [0-]

5. I owe the following debts:

NONE

Credit Card: _____ Amount Owed: \$ _____ Monthly Payment: \$ _____

Car Loan: _____ Amount Owed: \$ _____ Monthly Payment: \$ _____

Other Debt: Hospital Liability Amount Owed: \$ 270,000.00 Monthly Payment: \$ divorced

6. Other information to demonstrate my inability to prepay the required costs:

Petitioner victim of sexual harassment committed by judicial officer who on facts of a previous ruling found of battery degree. See (11 - 2) report of arrest case involved the theft of \$18 million plus. On the deceased man by court officers and agents in Cecil County Maryland.

For these reasons, I request a waiver of the prepaid costs.

I understand that I may have to pay these costs at the end of the case, unless the court grants a final waiver of open costs, and that if I want a final waiver of open costs I must request the waiver at the conclusion of the action in accordance with Maryland Rule 1-325(f)(2)(5).

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

[Signature]
Party Name: _____
Street: Rte 174
Party Name: _____
Tel: 301-271-1111
Address: _____
County: Walt MD 21741
City, State, Zip: _____

Phone: 301-271-1111
Telephone Fax: _____
e-mail: _____
Signed: TH, 2020
Date: _____

Attorney Certification (To be completed by your lawyer, if you are represented).

Not applicable

I, _____, certify that to the best of my knowledge and belief, there is a good ground for this claim, application, or request for process, and it is not interposed for any improper purpose or delay.

File behalf of:

Petitioner is proceeding pro se as court records prove/reveal that her retained attorney withdrew from 4 criminal cases involving petitioner on July 28, 2020 forcing the petitioner to contact public defenders office. In the interim, petitioner filed for motion for continuance, motion for the court to identify jurisdiction and legal standing of judicial officers and also notice of removal of all cases to federal court due to the fact that all judges of Cecil County had recuse themselves easier in this case or previous cases related to the fraudulent mishandling of probate case 19461, which is also being appealed. Petitioner pro se discovered latest order of That Court [DE # - 204] Petitioner



CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR _____

Located at 129 E. Main St., E. Baltimore, MD Case No. E-07-CR-18 1535

IN THE MATTER OF: State of Maryland et al. vs. Sherry Ray England et al.
Prosecutor General Respondent Defendant

ORDER REGARDING REQUEST FOR WAIVER OF PREPAID COSTS

Upon consideration of the Request for Waiver of Prepaid Costs submitted by Sherry Ray England Criminal Defendant, and any further documentation as required or authorized by Rule 1-325 or other applicable laws.

THE COURT FINDS THAT:

The party named above:

- Meets the financial eligibility guidelines of the Maryland Legal Services Corporation.
- Does NOT meet the financial eligibility guidelines.

The party named above:

- Is unable by reason of poverty to pay the prepaid costs.
- Is NOT unable by reason of poverty to pay the prepaid costs.

The claim, appeal, application or request for process:

- does not appear, on its face, to be frivolous.
- DOES appear, on its face, to be frivolous.
- Other findings: _____

THE COURT ORDERS that the waiver is:

- GRANTED
- DENIED. You have 10 days from the date of this order to pay the costs. If the unwaived costs are not paid in full within 10 days, the pleading or papers filed will be considered withdrawn.

Title Judge or Registrar ID Number

Reset

DENIED

08/07/2020 9:43:09 AM

does not comply with the Management Plan
Entered: Clerk, Circuit Court for Cecil County, MD
August 7, 2020



IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of	*	This Court Case #
STATE OF MARYLAND INC.	*	Case Number: C-07-CR-19-001554
	*	C-07-CR-19-001774
VS.	*	C-07-CR-19-001350
	*	C-07-CR-19-001006
Sherry Ray Evland	*	D-012-CR-19-001310
241 South Rd. Rising Sun,	*	C-07-CR-19-001538
Maryland 21911	*	C-07-CR-20-000341
Defendant	*	

DEFENDANTS MOTION FOR POSTPONEMENT OF PROCEEDINGS BASED ON THE COURT'S LACK OF JURISDICTION AS DEFENDANT HAS NOT HAD TIME TO RETAIN COUNSEL. AND A DEMAND THAT THE CLERK'S OF THESE COURTS COMPLY WITH MARYLAND RULES 1 - 201, AND 1 - 202 + 1 - 351 IS ALL ORDERS OF THESE COURTS ARE IN VIOLATION OF 28 U.S.C. 1691 AND HAVE NO FORCE AND EFFECT WITHOUT VERIFICATION OF ALLEGED ORDERS ISSUED IN SECRET WHICH THE COURTS REFUSED TO VERIFY AS REQUIRED BY FEDERAL STATUTE LAW.

Comes now Sherry Ray Evland plaintiff pursuant to rule 1 - 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, false imprisonment and fictitious judgments against defendant in the above 7 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th amendment not to mention 18 USC 1664 (a), title 8 US code § 1512, and 1513 (a)(A)(B)(C) the latest order of this court of 7/27/2020 compelling unrepresented defendant to appear in court on 08/10/2020 as court granted defendants attorney motion to withdraw Making it impossible for impoverished defendant to obtain new legal counsel (E - 1)

Received By Clerk 8/10/2020 (SJR)

08 10 2020 9:43 AM

2. Defendant now seeks a postponement of this court scheduled hearing, and jury trials all set for August 15, 2022 and until such time as the United States District Court is given an opportunity

Page 1





CECIL COUNTY HEALTH DEPARTMENT

10000 WASHINGTON BLVD • BELLEVILLE, MD 21015 WWW.CECILCOUNTYMD.GOV

August 7, 2020

RE: Sherry Eveland
DOB: 12/17/1966

To Whom It May Concern,

Sherry Eveland is enrolled in traditional outpatient treatment for substance use disorder at the Cecil County Health Department Alcohol and Drug Recovery Center. Sherry has been engaged in treatment since 1/30/2020. Sherry has shown improvement since she started treatment. Sherry has been very proactive since Covid19 caused us to transition our way of providing treatment. Sherry is working towards setting and achieving treatment plan goals. We recommend Sherry be given opportunity to complete treatment.

If you have any questions, please call (410) 996-5100

Sincerely,
Kathleen Harvey CSC-AD
Cecil County Health Department

Healthy People. Healthy Community. Healthy Future.			
ADMINISTRATIVE SERVICES	410-996-5100	COMMUNITY SERVICES, ALCOHOL & DRUG	410-996-5100
ADULT & PEDIATRIC NUTRITION SERVICES	410-996-5100	HEALTH PROMOTION	410-996-5100
EMERGENCY RESPONSE	410-996-5111	WOMEN HEALTH AND SPECIAL POPULATION SERVICES	410-996-5111
COMMUNITY HEALTH SERVICES	410-996-5100	TTY: 410-996-5111	800-257-7100
PHONE CENTER	410-996-5100	301-564-6671	410-996-5100/5111
CECIL COUNTY HEALTH DEPARTMENT TOLL FREE: 877-334-4668			

**IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION**

**In The Matter Of
STATE OF MARYLAND INC. ET AL**

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

* **This Court Case #**
*
* **Case Numbers:**
* **C-07-CR-19-001774**
* **C-07-CR-19-000350**
*
* **C-07-CR-19-001538**
* **C-07-CR-20-000141**
*

DEFENDANTS MOTION AND SUBMITTAL OF PRETRIAL OPENING STATEMENT IN THE ABOVE FOR CASES UNDER MARYLAND CRIMINAL CODE 4 – 301 AND 4 – 311. TO PRESERVE THE RECORD FOR APPEAL AS THE DEFENDANT IS BEING FORCED TO APPEAR ON AUGUST 10, 2020 WITHOUT LEGAL COUNSEL AND IN THAT ALLEGED STATES ATTORNEY’S AGENT STEPHEN IRA KROLL HAS STATED ON THE RECORD IS HIS INTENTION TO HAVE DEFENDANTS BOND REVOKED AND DEFENDANT SENT TO JAIL. EVEN THOUGH HIS CREDENTIALS I NOT BEEN SUPPLIED TO THE DEFENDANT OR TO THE COURT.

Comes now Sherry Ray Eveland hereafter defendant pursuant pro se at the time unrepresented by attorney rule 1 – 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, plus false imprisonment and fictitious judgments against defendant in the above 4 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th, 5th and 7th amendment rights defendant has a right to an opening statement which has been prewritten and filed with the court prior to this proceeding. In anticipation state will attempt to violate the rules and not allow defendant the right to an opening statement on the record.

1. For the record defendant has challenge the jurisdiction of the court and the alleged states attorney’s legal standing through the motion practice of this court pursuant to Md. MD Code, Criminal Procedure, § 15-408. Cecil County further defendant has filed a motion with this court asking that the alleged states attorney’s agent present in open court certificate of appointment to this court and a copy of the required state bond according to MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office..

2. The court’s fully aware that defendant has had retain counsel. Who withdrew this representation according to the court records on July 27, 2020. It was not till this time that defendant was made aware of this hearing today and defendant is not ready for trial. Having contacted the office of Public defender as per court direction on 28 August in accordance with

MD Crim Pro Code § 16-102 (a) I was told 15 days, notice is required before request reviewed .

3. For the record. The court said on the last hearing that no continuance would be granted, and that if I did defendant appeared without an attorney. The proceedings would be moved forward with a record defendant made a good-faith effort which can be confirmed by the office of Public defender, however, out of an abundance of caution, the defendant noticed that the court issued a ruling/order and placed it on the court docket for the record the latest order of this court of 7/27/2020 a notice of appeal of the order is being filed or has been filed with this court clerk this 10th day of August 2020 as the court has not responded to motion papers demanding verification of legal standing of court its officers and states attorneys, representatives prosecuting this case.

4. Defendant is entitled to know the alleged date that the states agent Stephen Ira Kroll was appointed by this judge or another Circuit Court judge under MD Code, Criminal Procedure, § 15-109 **Appointment by circuit court** (a) before this proceeding proceeds any further as the case is already on appeal and this court has no jurisdiction or authority without producing oath of office and judicial bond along with the states attorney's articles of appointment and required state bond pursuant to MD Code, Criminal Procedure, **104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office;

5. Plaintiff alleged agent is appearing in court this 10th day of August 2020 as a criminal prosecutor to prosecute myself as the defendant. Even though the court is fully aware that was I as a pro se litigant now unaware of the existence of the notices to appear until the 27th day of July 2020 and a further receipt by USPS mail August 4th notice which is not in compliance with the court rules .

6. Your Honor the courts fully aware that motion for removal and outstanding motion for continuance filed with this court which clearly indicate defendant is been forced into poverty by the misconduct of the states attorney's office and now it appears by the most recent docket entry of August 7, 2020 the court has made a ruling on the defendants August 6, 2020 motion. However, there are still several outstanding motions that have not been ruled on regarding this court's jurisdiction and authority emphasis supplied . As the court is not using Docket number numbers as required by law. Defendant is chosen to prefiled her opening statement for the record of appeal.

File Date:	08/06/2020
Filed By:	
Document Name:	Motion / Request - To Continue / Postpone
File Date:	08/07/2020
Filed By:	
Document Name:	Ruling

7. Your Honor overview of case search.com reveals that all 4 cases above were ruled on and allegedly denied as the clerk of the court stated they would be without court waiting for plaintiff's agents response investor court had ex parte communication with the plaintiff without defendant being notified for the record to court is fully aware that defendants attorney was allowed to withdraw from these 4 cases, less than 10 days prior to the courts ruling on plaintiff's motion for

continuance of docketed into the record 8/6/2020 now preserved for appeal which the plaintiff's filing today once the court provides a copy of the purported order the court however has not ruled on the motion for removal challenging the jurisdiction of the court and the motives of the states attorney's office and its agents, alleged Stephen Ira Kroll alleged specially assigned.

8. **In summation Your Honor** the defendant has a right to know whether or not the alleged agent for the state is in this court lawfully in accordance with the above statutes and also whether the state or this court has assessed judgment liens against the remaining assets of the estate of James Ray Charles defendants deceased father who has had over \$18 million stolen from the estate with the help of the states attorney's office as numerous court records a test to the court should not profit over the failure to provide honest services in allowing the defendant to file a criminal complaint states attorney's office and the Elkton police department took a complaint in front of 2 witnesses and said that it would never be forwarded due to the fact that Ellis Rollins would never investigate a lawyer in that town belonging to his Bar Association.

9. Defendant has a right to know whether the court's charges will result in a mean against the defendant's property and the estate of James Ray Charles based on the inappropriate actions of this court and its states attorney's office. See MD Code, Criminal Procedure, § 15-109 +§ 16-212. **Liens on real or personal property Reasonable value of services** (a) defendant contest any of these claims as the state has failed to provide legal

MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide - 106.

a corporate surety bond payable to the State in the amount of \$5,000. Conditions of bond (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) e court and accounting for funds and property received under color of the office. orate agents

responsible who have failed to provide honest services in accordance with their oath of office and the Constitution of the state of Maryland as well as the United States prevailing laws and Bill of Rights. Once again this court lacks jurisdiction until also offices are produced and state bonds are identified for the courts agents courts agents and assigns respectfully submitted

Sherry Ray Eveland

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court By _____

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) "State's Attorney" means the individual holding that office under Article V, § 7 of the Maryland Constitution.

MD Code, Criminal Procedure, **§ 15-102. Duty to represent State** Subject to Title 14 of this article, a State's Attorney shall, in the county served by the State's Attorney, prosecute and defend on the part of the State all cases in which the State may be interested.

MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) Each State's Attorney shall annually provide a corporate surety bond payable to the State in the amount of \$5,000. **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office.

MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County



CIRCUIT COURT FOR CECEL COUNTY

CR AO JA

COPY
Emory A Pitt Jr (EMAPL)
Sherry Ray Evers

Date August 10, 2020 Clerk RCD Judge _____
Case Number G-07-CR-19-001554 State vs _____

Hearing Type Status Conference

Prosecutor Kroll Defense Attorney _____ Public Defender _____

Recorded on CourtSmart Court Reporter _____ No Court Reporter present _____

Defendant: present not present Counsel heard Other _____

Address: _____ Advised of Right to Counsel

Defendant failed to appear Issue Bench Warrant Bond set at: _____

Withdraw Bench Warrant Forfeit Bond Hold Without Bond Bond to be determined

Case Postponed Postponement Requested by State Defendant Joint

Granted for good cause Denied New Date: _____

Case Note Filed by the State Motor stands for trial No action

Case marked Stat Hicc waived Condition(s) of Stat No contact with victim

Obey all laws Additional conditions: _____

Other: _____

Notice Withdrawn with prejudice without prejudice Petition for Expungement

PLEA: Binding Plea form submitted Granted Denied

Guilty as to count(s): _____

Not Guilty Agreed Statement of Facts as to count(s): _____

Alford Plea as to count(s): _____

Not Guilty as to count(s): _____

Nolo-Contendere as to count(s): _____

DISPOSITION: Verdict: Guilty Verdict: Not Guilty Verdict: Nolo-Contendere

Note: Pts remaining counts at sentencing Pre-Sentence Investigation Ordered

Bond: _____ Sentencing Date: _____

SENTENCING: Strike guilty verdict. Court grants Probation before Judgment, consent form signed

CT: Cecil County Detention Center (CCDC) Division of Corrections (DOC)

For a period of _____ all suspended all but _____ suspended

Commencing: _____

Credit for time served: _____ To be served locally at CCDC

Domesticity related Work Release Privileges if qualified and available

PROBATION: Upon Release

Placed on supervised unsupervised probation for a period of _____ with standard conditions

Pay supervision fee Supervision fee waived until employed for: _____

Alcohol Drug evaluation, therapy, treatment and testing as recommended

Totally abstain from the use of alcohol, illegal substances, and abusive use of prescription drugs Random testing

Case 73 provision Mental health evaluation and therapy

Do not operate a motor vehicle without a valid license / after consuming alcohol

No contact with victim(s) Agent may impose sanctions/conditions as deemed necessary

Restitution in the amount of: _____

Other: _____

Court costs waived

Court costs due: _____ Special costs waived

Fine: _____ Special costs due: _____ Finding of Indigency

DENIED

08/07/2020 9:43:09 AM

does not comply with the Management Plan
Entered: Clerk, Circuit Court for Cecil County, MD
August 7, 2020



IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of	*	This Court Case #
STATE OF MARYLAND INC.	+	Case Number: C-07-CR-19-001554
	+	C-07-CR-19-001774
VS.	+	C-07-CR-19-000150
	+	C-07-CR-19-001006
Sherry Ray Ewland	+	D-002-CR-19-001330
241 Smith Rd. Rising Sun,	+	C-07-CR-19-001538
Maryland 21911	+	C-07-CR-20-000141
Defendant	+	

DEFENDANTS MOTION FOR POSTPONEMENT OF PROCEEDINGS BASED ON THE COURTS LACK OF JURISDICTION AS DEFENDANT HAS NOT HAD TIME TO RETAIN COUNSEL AND A DEMAND THAT THE CLERK'S OF THESE COURTS COMPLY WITH MARYLAND RULES 1 - 201, AND 1 - 202 + 1 - 351 IN ALL ORDERS OF THESE COURTS ARE IN VIOLATION OF 28 U.S.C. 1491 AND HAVE NO FORCE AND EFFECT WITHOUT VERIFICATION OF ALLEGED ORDERS ISSUED IN SECRET ISSUED IN SECRET WHICH THE COURTS REFUSED TO VERIFY AS REQUIRED BY FEDERAL STATUTE LAW.

Comes now Sherry Ray Ewland plaintiff pursuant to rule 1 - 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses of statutory or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, false imprisonment and fixitious judgments against defendant in the above 7 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th amendment not to mention 18 USC 1464 (a), Title 18 US code § 1512, and 1513 (a)(4)(B)(C) the latest order of this court of 7/27/2020 compelling unrepresented defendant to appear in court on 08/10/2020 as court granted defendants attorney motion to withdraw.

Making it impossible for impoverished defendant to obtain new legal counsel (N - 1)

Received By Clerk 8/10/2020 (SJR)

30 14 - U.S. ...

Page 1

1. Defendant now seeks a postponement of this court scheduled hearing, and jury trials all set for August 10, 2022 and until such time as the United States District Court is given an opportunity



George McDermott Reporter With **MCW NEWS**

REPORTING on Corporate and Judicial Crimes against America
143 North Huron Dr., Forest Heights, MD 20745 phone 301-996-9577.
@ Email @georgemcdermott2014@gmail com



August 8, 2020

To U.S. Attorney G. Zachary Terwilliger,
Justin W. Williams United States Attorney's Building
2100 Jamieson Ave
Alexandria, VA 22314



Hand Delivered August 7, 2020 NO LONGER ACCEPTED

RE: Equal Justice For All Act. It Is The Fraud DOJ's Office Will Not Allow Complaints To Be Filed...?

Dear US attorneys Attorney G. Zachary Terwilliger, and L. Grimes, I'm approaching your office as a private concerned citizen trying to help another citizen who is been disenfranchised of the rights liberties and property due to the wrongful misconduct of a criminal actor from Fredericksburg, Virginia who has orchestrated a wheel and spoke criminal conspiracy involving state and county actors, attorneys, trust officers, and court clerks in the sovereign community operating as Cecil County Maryland where a fellow citizen is being forced to court August 10, 2020 to defend 7 alleged criminal cases, all of which a jury trial has been requested before a judge and alleged states attorney's who have been instrumental in the theft of over \$18 million of the defendants father's estate. Forcing the defendant Sherry Ray Eveland into poverty been unable to hire an attorney and having the court intimidate her past 2 attorneys to withdraw their appearances's leaving crime victim without protections afforded under the Equal Justice for All Act of 2004 & Crime Victims' Rights Act. Section 3771 (a)(1)(2)(3)(4)(5)(6)(7) + (8).

1. Attorneys Terwilliger, and L. Grimes, as a next friend of the court. I believe it is my duty and responsibility to notify this office of serious crimes against my fellow citizens emanating from the misconduct of parties in the Commonwealth of Virginia known as Andrea's Rogers in court proceedings who has knowingly transported stolen property across state lines. As noted to the orphans court for Cecil County Maryland. [E - 1] records reflect officers of the court have joined with this person and engaged in criminal conspiracy against rights with additional officers and agents of Cecil County Maryland legal community in aiding and abetting in the theft of assets belonging to the defendant Sherry Ray Eveland in excess above \$18 million. Crimes being reported Including tax evasion, banking frauds, extortion, false arrest and imprisonment, securities fraud, and obstruction of justice +++.?

2. U.S. attorneys Terwilliger, and L. Grimes I come to you as a private citizen. OPG assist another private citizen in the preservation of her legal rights to due process at law and to the recovery of her stolen property by one Andruis D. Rogers conspire with Wilson of 6313 Smith Station Rd., Fredericksburg, VA 22407 and others named in probate fraud case [E - 1 - 7] as well as other related civil cases none of which have been allowed to be heard because of obstruction of justice on part of Cecil County Maryland Inc.'s alleged sworn officers of the court.

3. It is my duty to report crimes against our citizens and crimes which undermine the integrity of the United States government such as courts, falsification of court documents, courts aiding and abetting obstruction of justice, court officers failing to provide honest services to victims of financial crimes being committed by court officers engaged in such crimes as tax evasion, securities frauds, obstruction of justice and threatening and intimidating the victims and witnesses in state and federal court proceedings.

4. As a law-abiding citizen it is my duty to report to Justice Department alleged criminal activities. I received a 29 page fax from Sherry Ray Eveland in Elkton Maryland by email on August 6, 2020 which I am now copying to U.S. attorneys Terwilliger, and L. Grimes under the Justice for All Act of 2004 asking that this US attorney's office began an investigation into the allegations raised in the matter of citizen Sherry Ray Eveland who is being forced to appear in a hostile court system in Cecil County Maryland August 10, 2020 without an attorney. As exhibits [E – 6 through 29] attest to.

5. Attorneys I come to you, private citizen/"private attorney general" A phrase was coined by Judge Jerome Frank in a decision which did not involve an attorney fee at all, but rather a private citizen's standing to sue for vindication of a public objective. (*Associate Industries v. Ickes* (2d Cir. 1943) 134 F.2d 694, 704; Comment (1974) 122 U.Pa.L.Rev. 636, 658.) As these matters involve public corruption, witness tampering, justice, falsification of court records and documents my court's offices. Not to mention insiders complicity in aiding and abetting one Andruis D. Rogers conspire with Wilson of 6313 Smith Station Rd., Fredericksburg, VA 22407 and her associates in the looting of the estate of James Ray Charles removal of the last will and testament and 8 codicils and the replacement of their own false will as indicated on court docket as purported last will and testament of the deceased.

6. Attorneys I am not interested in any monetary award for my act of public service in trying to correct this egregious wrong against my fellow citizens. I have also made a video record of my efforts to do the same which is posted @ secretjustice.com at the following programs 109, first visit to Cecil County Maryland courts of corruption. See program 110 FBI Washington Post 12/6/2007, 111 Chronicles earlier victims of the court and My first interviews with 12 victims of *Cecil County Maryland Is Corrupted Court System*

112,114,230,231,232,251,256,258,259,260,261,265.1,266,267,293, 294, 295, 316, 330, 329, and 332 . All the same judges involved in victim Sherry Ray Eveland's family who have been devastated by the state of Maryland court system not protecting victims of probate fraud see the

69 videos posted@secretjustice.com program numbers. **109, 110, 111, 112, 113, 114, 125, 133, 141, 257, 258, 259, 260, 261, 262, 266, 267, 268, 281, 292, 293, 294, 295, 296, 316, 329, 332, 335 – a, 390, 391, 394, 395, 744s, 801d, 946, 972, 973, 1050, 1051, 1053, 1058, 1127, 1157, 1165, 1173, 1180,1202,1203, 1205-(b,c,d,e,+ f), 1257, 1268, 1314, 1404,1422, 1428, 1446. 1447. 1448,.**

7. In summary U.S. Attorney G. Zachary Terwilliger as division chief, I now respectfully request that your office look into this matter. There is little you can do to prevent a miscarriage of justice that is about to happen on August 10, 2020 in Cecil County Circuit Court before judge Baines who has been asked to recuse himself and has recused himself for 4 years. I am quite certain that he and an alleged states attorney Stephen Ira Kroll from Howard County Maryland appearing without an oath of office will do everything they can to falsely imprison Sherry Ray Eveland. I

will be there to record the events because of my impoverished state. I will not be able to place a bond if she is falsely incarcerated for her release. The current bond was paid for and secured by an Alexandria resident and registered victims advocate Janice wolk Grenadier who operates a website under judicialpedia.com.

I am enclosing the 29, page email from the victim with attachments. For your review. I would now respectfully request to your office look into this complaint and the victim/defendant has filed motions in all 7 alleged criminal court cases and orphans court case alerting those courts at the victim will be asserting her rights, in United States District Court for Alexandria, Virginia for recovery of her property under 42 USC 1981 statute law and Maryland's Constitution, article 19 & declaration of rights. As Maryland courts and judicial system cannot be trusted perform honest services to our citizens who are victims of corporate fraud, and court fraud.

Respectfully submitted

George Edward McDermott Next friend of the court victims rights advocate.

Attachments in support of petition for assistance under the Equal Justice for All Act of 2004.

[E - #]	Description of document in support of petition	Date	Page #
[E - 1]	Victims filing for reopening of probate case of fathers	July 9, 2020	Page # 4
[E - 2]	Memorandum evidencing filing to reopen case date stamped	July 9, 2020	Page #-5
[E - 3]	Docket showing 204 docket entries victims motion to reopen allegedly denied no order ever received no judge named. Docket does not show insiders removal of original will and last testament and 8 codicils on September 2, 2014 probate fraud, 101	8/7/2020	Page #-6
[E - 4]	Mail from clerk's office evidencing recusal of to additional judges from victims probate case. No jury trial ever allowed	7/09/2020	Page #- 7
[E - 5]	Victim/defendant's motion for removal criminal cases to federal court is a fair trial cannot be had in Maryland case # C - CR - 07 - CR - 19 - 2350	8/6/2020	Page #-8
[E - 6]	Victim/defendant's motion for removal criminal cases to federal court is a fair trial cannot be had in Maryland case # C - CR - 07 - CR - 19 - 350	8/6/2020	Page #-10
[E - 7]	Victim/defendant's motion for removal criminal cases to federal court is a fair trial cannot be had in Maryland case # C - CR - 07 - CR - 19 - 350	8/6/2020	Page #-12
[E - 8]	Victim/defendant's motion for removal criminal cases to federal court is a fair trial cannot be had in Maryland case # C - CR - 07 - CR - 19 - 350	8/6/2020	Page #-14
[E - 9]	Defendant's memorandum to the court clerk as to notice of removal to federal court. All criminal proceedings	8/6/2020	Page #-16
[E - 10]	Alleged criminal defendant's motion to have all alleged matters moved to federal court under equal justice act	8/6/2020	Page #-18
[E - 11]	Court hearing notice to alleged criminal defendant Cecil County Circuit Court to be at August 10, 2020 9:05 AM jury trial crossed out case # C - CR - 07 - CR - 19 - 350, received August 3, 2020	Received August 3, 2020	Page #-19
[E - 12]	Court hearing notice to alleged criminal defendant Cecil County Circuit Court to be at August 10, 2020 9:05 AM jury trial crossed out case # C - CR - 07 - CR - 19 - 2350, received August 3, 2020	Received August 3, 2020	Page #-20
[E - 13]	Court hearing notice to alleged criminal defendant Cecil County Circuit Court to be at August 10, 2020 9:05 AM jury trial crossed out case # C - CR - 07 - CR - 19 - 1538, received August 3, 2020	Received August 3, 2020	Page #-22
[E - 14]	Court hearing notice to alleged criminal defendant Cecil County Circuit Court to be at August 10, 2020 9:05 AM jury trial crossed out case # C - CR - 07 - CR - 19 - 141, received August 3, 2020	Received August 3, 2020	Page #-23

		2020	
[E – 15]	Court hearing notice to alleged criminal defendant Cecil County Circuit Court to be at August 10, 2020 9:05 AM jury trial crossed out case # C – CR – 07 – CR – 19 – 142, received August 3, 2020	Received August 3, 2020	Page #- 24
[E – 16]	Under separate cover victims motion and orphans court for Cecil County Maryland to reopen the case for fraud on the court and estate allegedly dismissed, 7/28/2020 by unknown judges victim never received a copy of the dismissal which will be taken on appeal. As all judges of the orphans court had previously recuse themselves according to the court rules	Separate cover	25, pages

Print & Marketing Services 1698

Thu, Aug 6, 8:13 PM (14 hours ago)

to me -

I have attached the files you needed. Thanks

Staples Print & Marketing Services #1698

801 E. Pulaski HWY | Elkton, MD 21921

T: 410-620-2425 | Fax: 410-620-2480

THANK YOU FOR CHOOSING STAPLES!



Victims email received from Staples requesting help in protecting constitutional guaranteed equal rights and access to the courts

MEMORANDUM OF LAW FOR WHICH RELIEF IS SOUGHT BY THIS US ATTORNEY’S OFFICE , THE RECORD IS WHAT IT IS THE QUESTION IS WILL THIS OFFICE INVESTIGATE THESE CRIMINAL ALLEGATIONS IN ACCORDANCE TO THEIR OATH OF OFFICE

What the Equal Justice for All Act of 2004 Contains ■ Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims’ Rights Act ■ Debbie Smith Act of 2004 ■ DNA Sexual Assault Justice Act of 2004 ■ Innocence Protection Act of 2004 The purpose of this fact sheet is to provide information about the Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims’ Rights Act. Section 3771 (a) of this Act amends the federal criminal code to grant crime victims specified rights, including: (1) The right to be reasonably protected from the accused. (2) The right to reasonable, accurate, and timely notice of any public court proceeding or any parole proceeding involving the crime, or of any release or escape of the accused. (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding. (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding. (5) The reasonable right to confer with the attorney for the Government in the case. (6) The right to full and timely restitution as provided in law. (7) The right to proceedings free from unreasonable delay. (8) The right to be treated with fairness and with respect for the victim’s dignity and privacy.



CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR Prince George's

Located at 129 E. Main St., Clinton, MD Court Address Case No. CC-DC-889-1538 Case County

IN THE MATTER OF: State of Maryland et al. vs. Sherry Jay England
Plaintiff(s) Respondent/Defendant

**REQUEST FOR WAIVER OF PREPAID COSTS
(Md. Rule 1-325)**

I, Sherry Jay England, Name of party wish to file a complaint, petition, or other documents which I have completed and attached. I am unable to prepay the prepaid costs in this matter because of poverty.

Affidavit of Income

I respectfully submit that:

- There are 000 Number family members living in my household, including myself.
(Do not include visitors or temporary guests)
- The total gross household income (before taxes) is \$ 3,000
total income earned by all persons in the household per WEEK MONTH YEAR.
- The gross household income (before taxes) is from the following sources
(list amounts before taxes) per WEEK MONTH YEAR:

<input checked="" type="checkbox"/> Wages.....	\$ <u>1000</u>
<input checked="" type="checkbox"/> Commissions/Bonuses.....	\$ <u>none</u>
<input checked="" type="checkbox"/> Social Security/SSI.....	\$ <u>none</u>
<input checked="" type="checkbox"/> Retirement Income.....	\$ <u>none</u>
<input checked="" type="checkbox"/> Unemployment Insurance.....	\$ <u>none</u>
<input checked="" type="checkbox"/> Temporary Cash Assistance.....	\$ <u>none</u>
<input type="checkbox"/> Alimony/Spousal Support.....	\$ <u>none</u>
<input type="checkbox"/> Rent received from tenants.....	\$ <u>none monthly (E-1)</u>
<input type="checkbox"/> Any Other Income <i>(Do not include food stamps, SNAP)</i>	\$ <u>none</u>
- I own the following property:
(Do not list your home, one vehicle, and/or personal items in your home)
 - NONE
 - Real estate other than principal home..... Value: \$ unknown (E-1)
 - Other vehicles including boats..... Value: \$ none
 - Bank accounts..... Balance: \$ unknown
 - Stocks or other securities..... Value: \$ unknown (E-1)
 - Other property (describe):..... Value: \$ unknown (E-1)

5. I owe the following debts:

- NONE
- Credit Card _____ Amount Owed: \$ _____ Monthly Payment: \$ _____
- Car Loan _____ Amount Owed: \$ _____ Monthly Payment: \$ _____
- Other Debt, Home Loan Amount Owed: \$ 370,000.00 Monthly Payment: \$ divorced

6. Other information to demonstrate my inability to prepay the required costs:

Payment record of annual administrative fee for disabled mother + fee for costs of a monthly private trial of father's income tax (1 - 2) months of appeal case awarded the trial of 3.8 million plus 10% the discussed case by court military and assets of 1 and 5 million Maryland.

For these reasons, I request a waiver of the prepaid costs.

I understand that I may have to pay these costs at the end of the case, unless the court grants a final waiver of open costs, and that if I want a final waiver of open costs I must request the waiver at the conclusion of the action in accordance with Maryland Rule 1-325(F)(2)(A).

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

Peter Escobedo _____
 Street: East Carroll _____
 City Name _____
 241 Adams Rd _____
 Station _____
 County Name: ADAMS _____
 City, State, Zip _____

Telephone No. _____
 Telephone Fax _____
 Birth _____
 E-mail _____
 Signature Date: 11/11/20 _____
 Day _____

Attorney Certification To be completed by your lawyer, if you are represented. **Not applicable**

I, _____, verify that to the best of my knowledge, information, and belief, there is a good ground for this claim, application, or request for process, and it is not intended for any improper purpose or delay.

(In behalf of)

Petitioner is proceeding pro se as court records prove / reveal that her retained attorney withdrew from 4 criminal cases involving petitioner on July 28, 2020 forcing the petitioner to contact public defenders office. In the interim, petitioner filed for motion for continuance, motion for the court to identify jurisdiction and legal standing of judicial officers and also notice of removal of all cases to federal court due to the fact that all judges of Cecil County had recuse themselves easier in this case or previous cases related to the fraudulent mishandling of probate case 19461, which is also being appealed. Petitioner pro se discovered latest order of That Court (DE # - 204) Petitioner



CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR _____

Located at 229 E. Main St., E. Kent, MD
Court Address

Case No. E-474-CR-14 1535

IN THE MATTER OF: State of Maryland et al. vs. Sherry Ray Eveland et al.
Prosecutor/Petitioner Respondent/Defendant

ORDER REGARDING REQUEST FOR WAIVER OF PREPAID COSTS

Upon consideration of the Request for Waiver of Prepaid Costs submitted by Sherry Ray Eveland Criminal Defender, and any further documentation as required or authorized by Rule 1-325 or other applicable law.

THE COURT FINDS THAT:

The party named above:

- Meets the financial eligibility guidelines of the Maryland Legal Services Corporation.
- Does NOT meet the financial eligibility guidelines.

The party named above:

- Is unable by reason of poverty to pay the prepaid costs.
- Is NOT unable by reason of poverty to pay the prepaid costs.

The claim, appeal, application or request for process:

- does not appear, on its face, to be frivolous.
- DOES appear, on its face, to be frivolous.
- Other findings: _____

THE COURT ORDERS that the waiver is:

- GRANTED
- DENIED. You have 10 days from the date of this order to pay the costs. If the unwaived costs are not paid in full within 10 days, the pleading or papers filed will be considered withdrawn.

Date

Judge's Signature

ID Number

Reset

DENIED

08/07/2020 9:43:09 AM

does not comply with the Management Plan
Entered: Clerk, Circuit Court for Cecil County, MD
August 7, 2020



IN THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION

In The Matter Of	*	This Court Case #
STATE OF MARYLAND INC.	+	Case Number: C-07-CR-19-001554
	+	C-07-CR-19-001774
VS.	+	C-07-CR-19-001350
	+	C-07-CR-19-001006
Sherry Ray Eveland	+	D-037-CR-19-001330
341 Smith Rd. Rising Sun,	+	C-07-CR-19-001518
Maryland 21911	+	C-07-CR-20-000141
Defendant	+	

DEFENDANTS MOTION FOR POSTPONEMENT OF PROCEEDINGS BASED ON THE COURTS LACK OF JURISDICTION AS DEFENDANT HAS NOT HAD TIME TO RETAIN COUNSEL AND A DEMAND THAT THE CLERK'S OF THESE COURTS COMPLY WITH MARYLAND RULES 1 - 201, AND 1 - 202 + 1 - 351 IN ALL ORDERS OF THESE COURTS ARE IN VIOLATION OF 28 U.S.C. 1491 AND HAVE NO FORCE AND EFFECT WITHOUT VERIFICATION OF ALLEGED ORDERS ISSUED IN SECRET ISSUED IN SECRET WHICH THE COURTS REFUSED TO VERIFY AS REQUIRED BY FEDERAL STATUTE LAW.

Comes now Sherry Ray Eveland plaintiff pursuant to rule 1 - 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the insured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, false imprisonment and fictitious judgments against defendant in the above 7 captured cases, all which are against defendant in violation of the U.S. Constitution 4th amendment not to mention 18 USC 1664 (a), title 18 US code § 1512, and 1513 (a)(4)(B)(C) the latest order of this court of 7/27/2020 compelling unrepresented defendant to appear in court on 08/10/2020 as court granted defendants attorney motion to withdraw.

Making it impossible for imprisoned defendant to obtain new legal counsel (N - 1)

Received By Clerk 8/10/2020 (Signature)

1. Defendant now seeks a postponement of this court scheduled hearing, and jury trials all set for August 10, 2022 and until such time as the United States District Court is given an opportunity

Page 1



**THE CIRCUIT COURT FOR CECIL COUNTY MARYLAND
ELKTON MARYLAND CRIMINAL DIVISION**

**In The Matter Of
STATE OF MARYLAND INC. ET AL**

VS.

Sherry Ray Eveland
241 Smith Rd. Rising Sun,
Maryland 21911
Defendant

* **This Court Case #**
*
* **Case Numbers:**
* **C-07-CR-19-001774**
* **C-07-CR-19-000350**
*
* **C-07-CR-19-001538**
* **C-07-CR-20-000141**
*

DEFENDANTS MOTION AND SUBMITTAL OF PRETRIAL OPENING STATEMENT IN THE ABOVE FOR CASES UNDER MARYLAND CRIMINAL CODE 4 – 301 AND 4 – 311. TO PRESERVE THE RECORD FOR APPEAL AS THE DEFENDANT IS BEING FORCED TO APPEAR ON AUGUST 10, 2020 WITHOUT LEGAL COUNSEL AND IN THAT ALLEGED STATES ATTORNEY’S AGENT STEPHEN IRA KROLL HAS STATED ON THE RECORD IS HIS INTENTION TO HAVE DEFENDANTS BOND REVOKED AND DEFENDANT SENT TO JAIL. EVEN THOUGH HIS CREDENTIALS I NOT BEEN SUPPLIED TO THE DEFENDANT OR TO THE COURT.

Comes now Sherry Ray Eveland hereafter defendant pursuant pro se at the time unrepresented by attorney rule 1 – 308 W/P hereafter asserting her rights as rightful beneficiary of her estate/assets not waiving any of her rights, or remedies or defenses or statutorily or procedurally legally preserved vested rights. Defendant is the injured party having suffered injury in fact by alleged plaintiffs corporation and the courts alleged officers / agents have illegally produced artificial fictitious charges against defendant to and including proceedings, judgments and orders, plus false imprisonment and fictitious judgments against defendant in the above 4 captioned cases, all which are against defendant in violation of the U.S. Constitution 4th, 5th and 7th amendment rights defendant has a right to an opening statement which has been prewritten and filed with the court prior to this proceeding. In anticipation state will attempt to violate the rules and not allow defendant the right to an opening statement on the record.

1. For the record defendant has challenge the jurisdiction of the court and the alleged states attorney’s legal standing through the motion practice of this court pursuant to Md. MD Code, Criminal Procedure, § 15-408. Cecil County further defendant has filed a motion with this court asking that the alleged states attorney’s agent present in open court certificate of appointment to this court and a copy of the required state bond according to MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office..

2. The court’s fully aware that defendant has had retain counsel. Who withdrew this representation according to the court records on July 27, 2020. It was not till this time that defendant was made aware of this hearing today and defendant is not ready for trial. Having contacted the office of Public defender as per court direction on 28 August in accordance with

MD Crim Pro Code § 16-102 (a) I was told 15 days, notice is required before request reviewed .

3. For the record. The court said on the last hearing that no continuance would be granted, and that if I did defendant appeared without an attorney. The proceedings would be moved forward with a record defendant made a good-faith effort which can be confirmed by the office of Public defender, however, out of an abundance of caution, the defendant noticed that the court issued a ruling/order and placed it on the court docket for the record the latest order of this court of 7/27/2020 a notice of appeal of the order is being filed or has been filed with this court clerk this 10th day of August 2020 as the court has not responded to motion papers demanding verification of legal standing of court its officers and states attorneys, representatives prosecuting this case.

4. Defendant is entitled to know the alleged date that the states agent Stephen Ira Kroll was appointed by this judge or another Circuit Court judge under MD Code, Criminal Procedure, § 15-109 **Appointment by circuit court** (a) before this proceeding proceeds any further as the case is already on appeal and this court has no jurisdiction or authority without producing oath of office and judicial bond along with the states attorney's articles of appointment and required state bond pursuant to MD Code, Criminal Procedure, **104. Duty to post bond** (a) which states **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office;

5. Plaintiff alleged agent is appearing in court this 10th day of August 2020 as a criminal prosecutor to prosecute myself as the defendant. Even though the court is fully aware that was I as a pro se litigant now unaware of the existence of the notices to appear until the 27th day of July 2020 and a further receipt by USPS mail August 4th notice which is not in compliance with the court rules .

6. Your Honor the courts fully aware that motion for removal and outstanding motion for continuance filed with this court which clearly indicate defendant is been forced into poverty by the misconduct of the states attorney's office and now it appears by the most recent docket entry of August 7, 2020 the court has made a ruling on the defendants August 6, 2020 motion. However, there are still several outstanding motions that have not been ruled on regarding this court's jurisdiction and authority emphasis supplied . As the court is not using Docket number numbers as required by law. Defendant is chosen to prefiled her opening statement for the record of appeal.

File Date:	08/06/2020
Filed By:	
Document Name:	Motion / Request - To Continue / Postpone
File Date:	08/07/2020
Filed By:	
Document Name:	Ruling

7. Your Honor overview of case search.com reveals that all 4 cases above were ruled on and allegedly denied as the clerk of the court stated they would be without court waiting for plaintiff's agents response investor court had ex parte communication with the plaintiff without defendant being notified for the record to court is fully aware that defendants attorney was allowed to withdraw from these 4 cases, less than 10 days prior to the courts ruling on plaintiff's motion for

continuance of docketed into the record 8/6/2020 now preserved for appeal which the plaintiff's filing today once the court provides a copy of the purported order the court however has not ruled on the motion for removal challenging the jurisdiction of the court and the motives of the states attorney's office and its agents, alleged Stephen Ira Kroll alleged specially assigned.

8. **In summation Your Honor** the defendant has a right to know whether or not the alleged agent for the state is in this court lawfully in accordance with the above statutes and also whether the state or this court has assessed judgment liens against the remaining assets of the estate of James Ray Charles defendants deceased father who has had over \$18 million stolen from the estate with the help of the states attorney's office as numerous court records a test to the court should not profit over the failure to provide honest services in allowing the defendant to file a criminal complaint states attorney's office and the Elkton police department took a complaint in front of 2 witnesses and said that it would never be forwarded due to the fact that Ellis Rollins would never investigate a lawyer in that town belonging to his Bar Association.

9. Defendant has a right to know whether the court's charges will result in a mean against the defendant's property and the estate of James Ray Charles based on the inappropriate actions of this court and its states attorney's office. See MD Code, Criminal Procedure, § 15-109 +§ 16-212. **Liens on real or personal property Reasonable value of services** (a) defendant contest any of these claims as the state has failed to provide legal

MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide - 106.

a corporate surety bond payable to the State in the amount of \$5,000. Conditions of bond (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) e court and accounting for funds and property received under color of the office. orate agents

responsible who have failed to provide honest services in accordance with their oath of office and the Constitution of the state of Maryland as well as the United States prevailing laws and Bill of Rights. Once again this court lacks jurisdiction until also offices are produced and state bonds are identified for the courts agents courts agents and assigns respectfully submitted

Sherry Ray Eveland

Certificate of service. I _____ certify that a true and correct copy of this notice of appeal is being delivered to the office of the states attorney at 129 E. Main St., Elkton, MD with attachments in compliance with the rules 1-323 of this court By _____

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) "State's Attorney" means the individual holding that office under Article V, § 7 of the Maryland Constitution.

MD Code, Criminal Procedure, **§ 15-102. Duty to represent State** Subject to Title 14 of this article, a State's Attorney shall, in the county served by the State's Attorney, prosecute and defend on the part of the State all cases in which the State may be interested.

MD Code, Criminal Procedure, **§ 15-104. Duty to post bond** (a) Each State's Attorney shall annually provide a corporate surety bond payable to the State in the amount of \$5,000. **Conditions of bond** (b) The bond shall be conditioned on the State's Attorney faithfully:(1) performing the duties of the office; and (2) accounting for funds and property received under color of the office.

MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County



**CECIL COUNTY
HEALTH
DEPARTMENT**

CECIL COUNTY HEALTH DEPARTMENT • 207-514-8285

WWW.CECILCOUNTYHEALTH.DC

August 7, 2020

RE: Sherry Eveland
DOB: 12/17/1966

To Whom It May Concern,

Sherry Eveland is enrolled in traditional outpatient treatment for substance use disorder at the Cecil County Health Department Alcohol and Drug Recovery Center. Sherry has been engaged in treatment since 1/30/2020. Sherry has shown improvement since she started treatment. Sherry has been very proactive since Covid19 caused us to transition our way of providing treatment. Sherry is working towards setting and achieving treatment plan goals. We recommend Sherry be given opportunity to complete treatment.

If you have any questions, please call (410) 996-5106

Sincerely,
Kathleen Harvey CSC-AD
Cecil County Health Department

Healthy People. Healthy Community. Healthy Future.

ADMINISTRATIVE SERVICES	410-996-1000	ENVIRONMENTAL HEALTH SERVICES	410-996-1100
ALCOHOL, DRUGS AND RECOVERY CENTER	410-996-1076	HEALTH PROMOTION	410-996-1200
EMERGENCY RESPONSE UNIT	410-996-1111	HEALTHY BEHAVIORS AND SPECIAL POPULATION SERVICES	410-996-1012
COMMUNITY HEALTH SERVICES	410-996-1150	TTY/USERS (COGNICALLY IMPAIRED) ONLY	800-281-1150
DISEASE CONTROL	410-996-1400	24/7 SERVICE	888-966-5107/57466

CECIL COUNTY HEALTH DEPARTMENT TOLL FREE 807-514-8285

**IN THE ORPHANS' COURT BEFORE THE REGISTER OF WILLS FOR CECIL COUNTY MARYLAND
BEFORE THE REGISTER OF WILLS**

In The Matter of the	*	
Estate of James R. Charles	*	
Direct Descendent	*	
Successor Sherry Ray Eveland Named	*	Orphans Court case
In the residuary estate of deceased	*	Estate # 000000019461
241 Smith Rd. Appearing Pro Se	*	
Rising Sun, Maryland 21911	*	
Vs.	*	
Alleged personal representative et al,	*	Deceased LOOTED Estate Will
*		CIRCUIT COURT # 07-15-C-185
Leonard E. Wilson and Dawn M. Hall	*	Petition For Carat 02/20/2016
224 Cherry Hill Rd, Elkton, MD 21921	*	JURY TRIAL DEMANDED
<u>And There Alleged Attorneys</u> et al.	*	BUT DENIED ILLEGALLY DENIED
	*	

**MEMORANDUM TO THE COURT CLERK RECEIVING THIS MOTION, MEMORANDUM TO THE COURT
CLERK RECEIVING THIS MOTION. PETITIONER HAS INCLUDED A SELF-ADDRESSED STAMPED
ENVELOPE WITH A COPY OF THE COVER PAGE OF PETITIONER'S/**

**Rightful Descendent Sherry Ray Charles/Eveland Emergency Motion To Reopen Estate And Vacate/Nullify And
Remove All Proceedings To United States District Court For The Eastern District Of Virginia Based On Newly
Discovered Evidence And Have The Alleged Personal Representative Leonard Wilson Esq., His Attorney James
Dellmyer Esq. With The Law Firms Of William Riddle And Their Various Sham Law Firms Pursuant To Maryland
Rules 2 – 535 (B) (C), 6 – 312, 6 – 402, And 8 – 103. Personal Representative As Committed Willful Intrinsic And
Extrinsic Fraud On The Court And The Estate Of Deceased James Ray Charles.**

**This Emergency Motion Is Being Filed By United States USPS Certified Registered Mail Art.
7017– 3380 –0000 – 7085 – 7071**

With A Pre-Stamped, self-addressed envelope of this cover page, and the front page of the pleading as the court is closed to the public. Would you be so kind as to date stamp and return my copies for my records and that I will have evidence to file with United States District Court for additional relief as is my right under the Maryland declaration of rights 19. I thank you for your time and consideration in this matter and have a blessed day. Attachments 98 page motion and exhibits.

Respectfully submitted

Sherry Ray Eveland

Certificate of service I certify that a copy of this motion paper and memorandum was mailed first-class USPS postage-paid to the offices of Wilson. Rollins, Dallmeyer and Brown at 149 E. Main St., Elkton, MD.21921in accordance with this court's rules by_____

IN THE ORPHANS' COURT BEFORE THE REGISTER OF WILLS FOR CECIL COUNTY, MARYLAND, and

BEFORE THE REGISTER OF WILLS

In The Matter of the
Estate of James R. Charles

Direct Descendent

Successor Sherry Ray Eveland, Named

In the residuary estate of deceased

241 Smith Rd. Appearing Pro Se

Rising Sun, Maryland 21911

Vs.

Alleged personal representative

of deceased estate will

Leonard E. Wilson and Dawn M. Hall

149 E. Main St., Elkton, MD 21921

224 Cherry Hill Rd, Elkton, MD 21921

Estate # **000000019461**

FILED WITH THE REGISTER OF WILLS

Cecil County, Maryland

September 2, 2014

CIRCUIT COURT NO. C-15-185

Adversary proceeding

MOTION IN OPPOSITION TO ALLEGED PERSONAL REPRESENTATIVES LEONARD WILSON AND ALLEGED PERSONAL REPRESENTATIVE ATTORNEYS JAMES A DALLMEYER AND WILLIAM F RIDDLE'S FRIVOLOUS BAD-FAITH MOTION TO DISMISS AS IT IS RIDDLED WITH FALSE ALLEGATIONS, FALSE STATEMENTS AND OUTRIGHT SCANDALOUS UNFOUNDED ACCUSATIONS UNDER

MARYLAND RULES 1 – 303, 1 – 304, 1-311 AND 1– 341.

Comes now Sherry Ray Eveland Pro Prasanna under Maryland common-law rights through the motion practice in opposition to the false statements allegations put forth by alleged personal representative counsel James a Dallmeyer, with intent to deceive this court and take undue advantage of a Pro Prasanna litigant who is named as an heir to the estate even in the false last will and testament the alleged personal representative put into the court record. After removing the original from safekeeping without the authority of the court or the rightful heirs. This court has the duty to protect petitioner and the other rightful heirs to the estate. Petitioning now incorporates by reference all previous motions papers and pleadings filed with this court to preserve the record for appeal.

2. This court is fully aware that. Petitioner Sherry Ray Eveland is proceeding pro se under Maryland common-law and under **28 USC 1664** appearance personally or by counsel in all courts of the United States, the parties may claim and conduct a their own cases personally or by counsel as, by the rules of such court, respectively, are permitted to manage and conduct cases therein. June 25, 1948, c, 646, 62 Stat. 944; May 24, 1949, c. 139, §§91. 63 Dtat **DUTY OF COURT. Implicit in the right is self representation** is obligation an part of the court to make reasonable allowances to protect pro se litigants from inadvertent Forfeiture of important rights because of their lack of legal training . Traguth v. Zuck CA, (N.Y.) 1983. 710 FF-2D.

3 Petitioner Sherry Ray Eveland moves that the court strike the. Pleading and papers papers allegedly filed with the court received by petitioner through the US mail [Att 1 – 5]. Alleges facts that are not supported by the record, not supported by the court docket. And refuted by the motion papers filed with this court and the Circuit Court. Challenging the alleged personal representatives legal standing. As alleged by frivolous motion papers filed by attorney James a Dallmeyer, captioned emphasis supplied.

MOTION TO DISMISS

Leonard Wilson, Esquire, in his capacity as Personal Representative of the Estate of James Ray Charles, by and through his attorneys, James A. Dellmyer, and the Law Office of William F. Riddle, pursuant to Md. Rule 2-322(b) moves this Court to dismiss the Petition to Caveat filed by Sherry Ray Eveland, and in support states:

4 James a Dallmeyer, frivolous bad-faith unjustified statements outlined asserted in motion to dismiss and memorandum of law in support of motion to dismiss. Are factually incorrect not supported by the evidence already before this court. And constitute not only fraud on the court by attorney Dallmeyer his employer William Riddle and alleged personal representative Leonard Wilson Esq. all of whom have no proof before this court or any of the court that 37 years ago the deceased entered into a agreement to have attorney Wilson represent his estate. The only documents purporting to give attorney Linda Wilson standing in the court are documents Wilson drafted, Wilson acknowledged and witnessed and Wilson put into the court record, September 3, 2014 after removing the original last will and testament under safekeeping. As court docket entries indicate and court records obtained by petitioner prove.

5. Sherry Ray Eveland will not correct the record to conform with the truth while incorporating all motions in pleading papers previously filed in this court and in the Circuit Court for Cecil County Maryland as was directed by the clerk of this court Which later recanted the direction and petitioner Sherry Ray Eveland Refiled petition a copy of which is filed with both courts to preserve the record.

5. **Relief requested.** That this court schedule an emergency evidentiary hearing before judicial officer not having direct ties with or personal relationships with Leonard Wilson attorney at law William Riddle attorney-at-law and or his agent James A. Dallmeyer purported attorney-at-law. Petitioner does not believe that either Leonard Wilson or purported representative James A. Dallmeyer and the William Riddle law firm have any legal standing in this court. Under Maryland rule 6 – 104. It is time that the court compel the purported representative and their attorneys to produce in open court the following documents in the original form. Petitioner reinstates for the record motion paper March 3, 2015. Alleged personal representative and orders attorneys have failed to an answer answer instead choosing to file this frivolous motion this court while at the same time. Committing honest services fraud on the court and the rightful heirs of the estate. Alleged personal representative and his attorneys have failed to answer any of the following questions or provide any documentation required under Maryland rules to substantiate their false claims asserted in their most recent motion papers meant to deceive this court.

- The original last will and testament and eight attachments removed from safekeeping September 2 2014. required Honst services fraud refers to a 28-word sentence of [18 U.S.C. § 1346](#) (the federal [mail and wire fraud](#) statute), added by the [United States Congress](#) in 1988, [\[1\]](#) which states: "For the purposes of this chapter, the term *scheme or artifice to defraud* includes a scheme or artifice to deprive another of the intangible right of honest services of the Estate of James R. Charles required under Md. rule 6 – 6-123 + 124
- Any and all Court order authorizing alleged personal representative. Right to force the heirs to the estate out of properties owned by the estate. Purportedly to have insider realtor sell the properties without court authorization and/or approval as is required. required under Md. rule 6 – 171
- Any and all Court order authorizing alleged personal representative dispose of assets of the estate without public notice and or court approval. required under Md. rule 6 – 312 + 6 - 124
- Any and all Court order authorizing alleged personal representative to purportedly use assets of the estate exceeding \$16,000 to purchase required under Md. rule 6 – 312

- Court order authorizing alleged personal representative to give preference to one Andrusd Rogers 261 W. Main st. Elkton Maryland 21921 by forcing family members of the property and grading so custody to the Rogers family without a court order. In violation of Md. rule 6 – 171 +.174.
- Any and all Court order authorizing alleged personal representative. Including any ex partake communications with court officers or agents prohibited under Md. rule 6 – 141 +.173 + 172.
- 6. Petitioner seeks this court to grant subpoena power to petitioner under Md. rule 6 – 161 + two personal representative and their attorneys and insider. Andrusd Rogers 261 W. Main st. Elkton Maryland who has boasted at the funeral that she stolen \$400,000 + from the estate prior to the death of James Ray Charles. Posting this to family members threatening and intimidating them that she would have control as personal representative and administrator of the estate even after death this improper behavior continued with the assistance of alleged personal representative Leonard Wilson Esq..

For the reasons stated herein petitioner respectfully request that this court convene an emergency hearing and require the production of documents in the original form to be produced in open court on the record before an unbiased judge from another judicial district. As a full fair and impartial proceeding cannot be obtained because of the interpersonal relationships between the officers of this court and the alleged personal representative Leonard Wilson, has now newly appointed attorney James A. Dallmeyer purported attorney-at-law and the law firm of William Riddle who has a history of misconduct before this court and other courts of Maryland. By through his connections with Cecil Bank and therefore more employees. As court records of this very court will attest to.

Sherry Ray Eveland
 Sherry Ray Eveland
 Pro Se

241 Smith Rd
 Rising Sun, MD 21911
 Direct descendent of James R Charles

Attachments 1. Evidence of mail fraud by attorney Delmar and alleged personal representative
 2-3 False motion papers signed in violation of Maryland rules 1-311 + 1-341
 4-6. False memorandum of law and supporting documents filed by attorney.

Certificate of service

I Sherry Ray Eveland certify that a true and correct copy of this petition was mailed first-class US mail to the following parties postage-paid in accordance with the court rules along with all attachments and memorandum of law. This 10^h day of March 2015

Leonard E Wilson
 149 E. Main St.,
 Elkton, MD 21921 – 5917

Timothy E Charles
 459 Booth St., Elkton,
 MD 21921

Cheryl Phillips
 421 W. Polaski Hwy.,
 Elkton, MD 21921

MEMORANDUM OF LAW IN SUPPORT OF PETITIONERS OPPOSITION TO MOTION TO DISMISS

Honest services fraud refers to a 28-word sentence of [18 U.S.C. § 1346](#) (the federal [mail and wire fraud](#) statute), added by the [United States Congress](#) in 1988,^[1] which states: "For the purposes of this chapter, the term *scheme or artifice to defraud* includes a scheme or artifice to deprive another of the intangible right of honest services."^[2] The statute has been applied by federal prosecutors in cases of public corruption as well as in cases in which private individuals breached a [fiduciary](#) duty to another. In the former, the courts have been divided on the question of whether a state law violation is necessary for honest services fraud to have occurred. In the latter, the courts have taken differing approaches to determining whether a private individual has committed honest services fraud—a test based on reasonably foreseeable economic harm and a test based on materiality. The statute, which has been a target of criticism, was given a narrow construction by the [Supreme Court of the United States](#) in the case of [Skilling v. United States](#). In order to avoid finding the statute to be unconstitutionally vague, the Court interpreted the statute to only cover "fraudulent schemes to deprive another of honest services through bribes or kickbacks supplied by a third party who ha[s] not been deceived".^[3]

Meaning of "honest services" in public corruption

Honest services fraud is generally more easily proven in the public sphere than in the private, because honest services fraud by public officials can include most unethical conduct, whereas honest services fraud by private individuals only includes some [unethical](#) conduct. Federal courts have generally recognized two main areas of public-sector honest service fraud: [bribery](#) (direct or indirect), where a public official was paid in some way for a particular decision or action, and failure to disclose a [conflict of interest](#), resulting in personal gain.^[6]

Necessity, or lack thereof, of state law violations

In 1997, the [United States Court of Appeals for the Fifth Circuit](#) decided in *United States v. Brumley* that in order for a state official to have committed honest services fraud, they must have violated the state statute defining the services which they owed to their employer (the state).

We find nothing to suggest that Congress was attempting in § 1346 to garner to the federal government the right to impose upon states a federal vision of appropriate services—to establish, in other words, an ethical regime for state employees. Such a taking of power would sorely tax separation of powers and erode our federalist structure. Under the most natural reading of the statute, a federal prosecutor must prove that conduct of a state official breached a duty respecting the provision of services owed to the official's employer under state law. Stated directly, the official must act or fail to act contrary to the requirements of his job under state law. This means that if the official does all that is required under state law, alleging that the services were not otherwise done "honestly" does not charge a violation of the mail fraud statute.^[7]

Rule 1-103--Method of Citation Rule 1-103 changes the permissive method of citation of the rules. Former Rule 3 d provided that the rules be cited as "Maryland Rules"; this rule provides that the rules may be cited as "Md. Rules." In addition, the new rule specifies that a specific rule may be cited as, e.g., Rule 1-102. The old rule did not specify any method of referring to a rule individually.

Rule 1-201-Rules of Construction Rule 1-201 draws its general statement of policy from both the federal and Maryland rules and modifies several former Maryland rules. The first sentence of section (a), consistent with Federal Rule 1 and almost verbatim from Former Rule 701, states the general policy that all of the rules "shall be construed to secure simplicity in procedure, fairness in administration, and elimination of unjustifiable expense and delay." To secure these objectives, section (a) contains new provisions regarding the consequences of noncompliance with the rules. Compliance with both mandatory and prohibitory provisions is to be compelled through the measures prescribed by the rules or by statute. If the rules do not establish any particular enforcement procedure, the court may compel compliance or determine the consequences of noncompliance "in light of the totality of the circumstances and the purpose of the rule"

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ZIP 21921
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Sherry Ray Eveland
241 Smith Road
Rising Sun, MD 21911

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IN THE ORPHANS' COURT FOR CECIL COUNTY
(OR)
BEFORE THE REGISTER OF WILLS FOR
CECIL COUNTY, MARYLAND

IN THE ESTATE OF:
JAMES R. CHARLES

Estate No.: 19461

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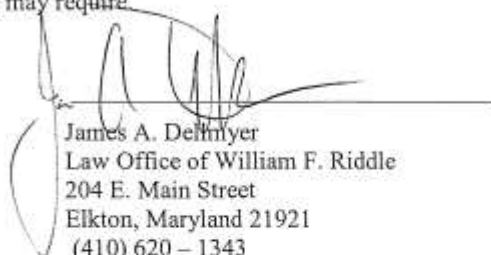
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MOTION TO DISMISS

Leonard Wilson, Esquire, in his capacity as Personal Representative of the Estate of James Ray Charles, by and through his attorneys, James A. Dellmyer, and the Law Office of William F. Riddle, pursuant to Md. Rule 2-322(b) moves this Court to dismiss the Petition to Caveat filed by Sherry Ray Eveland, and in support states:

1. Petitioner/Caveator, Sherry Ray Eveland, has failed to state a cause of action that is legally sufficient to sustain a caveat of the Last Will and Testament of James R. Charles.
2. Respondent/Caveatee, Leonard Wilson, Esquire, incorporates those allegations contained in the attached Memorandum as if fully set forth herein.

WHEREFORE, Leonard Wilson, Esquire, in his capacity as Personal Representative of the Estate of James Ray Charles, moves the Court to dismiss the Petition for Caveat, and for any such other relief as the nature of his cause may require



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(410) 398 - 5502 fax
jadellmyer@willriddlelaw.com

JAMES A. DELLMYER, ESQ.

LAW OFFICE
OF
WILLIAM F. RIDDLE

204 EAST MAIN STREET
ELKTON, MD 21921

(410) 620-1343
(410) 398-5502 Fax

WILLRIDDLELAW.COM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March, 2015, a copy of the foregoing Motion to Dismiss was sent via first class mail, postage prepaid, to:

Timothy E. Charles
261 West Main Street
Elkton, Maryland 21921

Cheryl Philips
421 West Pulaski Highway, Apt. 17
Elkton, Maryland 21921

Sherry Ray Eveland
241 Smith Road
Rising Sun, Maryland 21911



James A. Delmyer

JAMES A. DELMYER, Esq.

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Att-2

Att-3

IN THE ORPHANS' COURT FOR CECIL COUNTY

(OR)

BEFORE THE REGISTER OF WILLS FOR

CECIL COUNTY, MARYLAND

IN THE ESTATE OF:
JAMES R. CHARLES

*
* Estate No.: 19461
*
*
*
*

* * * * *

MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS

Personal Representative, Leonard Wilson, Esquire, of the Estate of James R. Charles, by and through his attorneys, James A. Dellmyer and the Law Office of William F. Riddle, Esquire, pursuant to Md. Rules 2-322(a), 2-322(b) and 2-341 submits this Memorandum in Support of Motion to Dismiss and states the following:

STATEMENT OF FACTS

James Ray Charles did execute a Last Will and Testament on or about February 4, 2004. James Ray Charles departed this life, and the Last Will and Testament was admitted to probate on September 3, 2014. On or about February 20, 2015, Sherry Ray Eveland filed a Petition to Caveat the Last Will and Testament of James Ray Charles. Leonard Wilson, Esquire has been appointed Personal Representative of the Estate of James Ray Charles, by virtue of his appointment under the Last Will and Testament.

ARGUMENT

Maryland Rule 2-322(b) provides, in relevant part, that defenses may be made by motion to dismiss in an answer or in any other appropriate manner after answer is filed including, but not limited to, failure to state a claim upon which relief can be granted. The court should assume the truth of all well-pleaded facts and allegations in the complaint, as well as the inferences reasonably drawn from them. *Afamefune ex rel. Afamefune v. Suburban Hospital, Inc.*, 385 Md. 677, 870 A.2d 592 (2005). In a motion to dismiss for failure to state a claim upon which relief can be granted the defendant asserts that, despite the truth of the allegations, the plaintiff is


barred from recovery as a matter of law. *Porterfield v. Mascari II, Inc.*, 374 Md. 402, 823 A.2d 590 (2003). The purpose of a motion to dismiss for failure to state a claim upon which relief can be granted is to have legal questions decided before trial of the action on the merits. *Porterfield*, 374 Md. 402.

A Petition to Caveat a Last Will and Testament may be based upon allegations that the Last Will and Testament was not executed pursuant to Estates & Trusts Article 4-102. Here, the Petition to Caveat is devoid of any allegations that the Last Will and Testament does not meet the requirements of Estates & Trusts 4-102. There is a bald and conclusory allegation made by Petitioner which contains that the "will and codicil are not valid documents...", but this allegation is not sufficient as a matter of law to constitute a claim. Likewise, the Petition is entirely lacking any allegation related to the testamentary capacity of James Ray Charles. A review of the Petition shows that there is no allegation which contends that Mr. Ray was not of sound mind at the time of the execution of the Last Will and Testament, as is required to sustain a caveat on this basis. *Oliver v. Hays*, 121 Md.App. 292 (1998).

The Petition to Caveat does not alleged facts which support a claim of undue influence. A Will is invalid if it was obtained by the use of undue influence imposed upon the testator which claim must support by alleging certain facts which show that the Testator's free was subject to force or coercion. *Orwick v. Moldawer*, 150 Md. App. 528 (2003). The Petition to Caveat does not make any allegation which supports a claim of undue influence, and does not, as a result, properly state a claim upon which relief can be granted.

CONCLUSION

As a matter of law, Ceaveator, Sherry Ray Eveland, has failed to allege any facts which support any of the legal theories from which a Petition to Caveat may sound, and the Petition should be dismissed. Instead, Ms. Eveland seems focused on alleged misconduct by the Personal Representative, going so far as to question this Court's appointment of him as Personal Representative. The other allegations contained in the Petition focus upon an unknown individual removing documents from court records, and that Mr. Ray departed this life with more assets than identified on an accounting. If the Petitioner has a grievance with any accounting of the Estate then the appropriate method of seeking relief is to file exceptions to any such account



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*Counsel for Personal Representative of
the Estate of James Ray Charles*

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS OPENING STATEMENT

§ 16-102. Scope of title.

Universal Citation: [MD Crim Pro Code § 16-102 \(2017\)](#) (a) Representation of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.

Except as otherwise provided in § 16-206.

MD Code, Criminal Procedure, § 16-402

MD Code, Criminal Procedure, § 15-101, MD CRIM PROC § 15-101 (d) "State's Attorney" means the individual holding that office under Article V, § 7 of the Maryland Constitution.

MD Code, Criminal Procedure, § 15-102. Duty to represent State Subject to Title 14 of this article, a State's Attorney shall, in the county served by the State's Attorney, prosecute and defend on the part of the State all cases in which the State may be interested.

MD Code, Criminal Procedure, § 15-104. Duty to post bond (a) Each State's Attorney shall annually provide a corporate surety bond payable to the State in the amount of \$5,000. **Conditions of bond (b)** The bond shall be conditioned on the State's Attorney faithfully: (1) performing the duties of the office; and (2) accounting for funds and property received under color of the office.

MD Code, MD CRIM PROC § 15-104 Criminal Procedure, § 15-408 Cecil County

ALL CECIL COUNTY JUDGES AND STATES ATTORNEYS OFFICE PERSONNEL REFUSED TO PRODUCE THEIR LEGAL STANDING AND CAPACITY AS THE STATUTE LAW ABOVE REQUIRES IS IT BECAUSE THEY FEEL THEY ARE ABOVE THE LAW AND THE and our United States CONSTITUTION/BILL OF RIGHTS. And THE STATE OF MARYLAND's....?