

Court observation

Law



Court Observation of Maryland vs. Saunders, Alante Argued January May, 28, Decided February, 23, I attended a courtroom proceeding in Rockville District Court in Maryland State, on the morning of February 23, 2013. In this case, State of Maryland vs. Saunders, the district Court of Rockville put forth an opinion setting aside a Maryland conviction for a homicide on the ground that a direction issued by the Maryland trial court was in contravention of *Mullaney v. Wilbur*, 421 US. 684, 95 S. Ct. 1881, 44 L. Ed. 2d 508 (1975), as it altered the burden of proof to the defendant and, therefore, lowered the scale of the crime to manslaughter (Hengel 231). The Rockville district court held that a direction linked to alibi was inconsistent with the precedent set in *Mullaney v. Wilbur* case.

In presenting its opinion, the district court observed that the direction related to alibi was inconsistent with the precedent set in *Mullaney v. Wilbur* case because it did not require for defendant to do anything, such as assuming proof of burden. During the proceeding, it was held that Maryland had directly considered that alibi in itself was not an assenting defense in *State v. Grady*, 276 Md. 178, 345 A. 2d 436 (1975). The final issue was not presented before a jury, however, and the attorney noted that they only took into it consideration to show that Maryland offered effect to *Mullaney*. The district court established that manslaughter instruction on its facial view did not conform with the values articulated in *Mullaney v. Wilbur* precedent case, but it affirmed that, as presented in *State v. Evans*, 278 Md. 197, 362 A. 2d 629 (1976), the issuing of the instruction was a risk-free mistake because there was no proof to support an instruction as to manslaughter in any circumstance, apart from that of murder (Hengel, 234). However, in every case where the attendance of the defendant at the commission of the

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transgression is necessary to his conviction, the state has to establish such a fact beyond any reasonable doubt. The jury ought not to assume that an accused person is responsible just because he is being impeached and that criminal allegations have been preferred against him (Hengel, 240). The district judge established that the decedent and the accused could as well have renewed their earlier squabble, which occurred the very evening of the shooting in question. Moreover, the judge observed that the quarrel occurred in a dance hall where there was a huge crowd of people who might be used as witnesses.

The district court noted that while it did not imply that there was no proof of murder in the state trial, it did not think that an order to manslaughter was not uncalled for in deliberation of all the evidence and that the district court was correct in making it explicit that it should have been framed in the light of Mullaney v. Wilbur precedent case, which had been held to be retroactive in Henkerson v. North Carolina (Hengel 242). In his verdict, the district court judge passed that the judgment of the district court, even though it is not sufficiently holding, is accordingly affirmed.

Work Cited

Hengel, Douglas. Judicial Processes in the State of Maryland. New York: Penguin Books, 2012. Print.