## IN THE

## CIRCUIT COURT FOR BALTIMORE CITY

## **Administrative Order No. 2024-10**

WHEREAS, Maryland Rule 20-203 allows a filer to request the administrative judge to direct the clerk of a court to withdraw a deficiency notice; and

WHEREAS, the undersigned has considered the request to withdraw a deficiency filed by counsel for Gregory Branch; and

WHEREAS, the Clerk rejected Gregory Branch's filing due to a lack of filing a complaint citing Maryland Rule 2-101 which states that "[a] civil action is commenced by filing a complaint with a court;" and

WHEREAS, Gregory Branch filed a request for a hearing pursuant to Md. Code, Health – General § 3-302(f)(4) which is silent as to whether the filing of a complaint is required; and

WHEREAS, not all hearings require a filing of a complaint. *See Motor Vehicle Admin. v.*Weller, 390 Md. 115 (2005); and

WHEREAS, the Clerk has incorrectly rejected the filing of Gregory Branch for a request for a hearing under Md. Code, Health – General § 3-302(f)(4), and

WHEREAS, the submission does not violate a provision of the Rules in Title 20 or an applicable published policy or procedure established by the State Court Administrator; it is THEREFORE, on this 30<sup>th</sup> day of May 2024, hereby

ORDERED, that with ten (10) days from the date of this Order, the Clerk shall withdraw the deficiency notice provided to Envelope Number 16330640 as filed under Odyssey File & Serve and accept the filing.

/s/

Audrey J.S. Carrión, Administrative Judge Circuit Court for Baltimore City

cc:

Xavier Conaway, Clerk, Circuit Court for Baltimore City Bruce M. Luchansky, Esq., Attorney for Dr. Gregory Branch