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#### June 15, 2010

## Maryland Prison Inmate Granted Change of Venue in Murder Trial

It is the Constitutional right of every person accused of a criminal act to have a fair trial. It is the job of every Maryland criminal lawyer to ensure that people facing criminal charges in Maryland receive that fair trial by an impartial jury. The Constitution provides this right for all people, and that includes those already convicted and incarcerated on other charges.

Recently, an inmate at a Maryland state prison was indicted for the murder of his cellmate. Mario Lawrence Bowling, 44, was incarcerated at Western Correctional Institution after being convicted in Montgomery County Circuit Court of two counts of robbery with a dangerous weapon, robbery, and assault. He was to serve 25 years. His cellmate, whom he is accused of killing, was serving a 100-year-sentence for murder.

As a result of his cellmate's death, Bowling was indicted on charges of firstdegree murder, first-degree assault, second-degree assault and reckless endangerment. His Maryland criminal attorney successfully argued for a change of venue in Bowling's trial, saying that a local newspaper's erroneous statements would make it impossible for his client to receive a fair and impartial trial. The paper reported that Bowling was serving a sentence for murder, rather than robbery, implying a criminal history more severe than his actual record. A judge agreed that the false reporting might skew potential jurors' perceptions of the defendant and granted a change of venue. Bowling's trial is set to begin August 5.

A person's previous actions or criminal history are not necessarily indicators of his or her guilt in current cases. Bowling's status as a convicted felon should be irrelevant to the verdict in his upcoming trial. However, his Maryland criminal lawyer understood that public perception would be biased against his client as a result of the false local reports. Regardless of Bowling's criminal history or incarceration status, he -- just like every person charged with a crime in the U.S. -- is entitled to a fair and impartial trial.