

Steven Lieberman Argues in Front of Maryland's Court of Special Appeals in Pro Bono Matter Involving Historic Black Cemetery

Media Mention
10.6.22

Key Contact

Steven Lieberman

Partner Steven Lieberman argued in front of Maryland's Court of Special Appeals, in the October 6, 2022 hearing on the appeal in the dispute between Steven's *pro bono* clients fighting to prevent the sale of a burial ground for former slaves and their descendants, and the Montgomery County Housing Opportunities Commission (HOC), the current owner of the land, who seeks to sell the land to a developer.

In October 2021, the Rothwell Figg team, led by Steven and including Jenny Colgate, D. Lawson Allen, and Kristen Logan, on behalf of the Bethesda African Cemetery Coalition (BACC), the pastor of Macedonia Baptist Church in Bethesda, and members of the Black community in Bethesda, were successful in getting Judge Karla Smith to grant a Motion for a Preliminary Injunction, thereby halting the sale of the property unless and until the HOC complies with Maryland state law. The HOC filed an appeal of the injunction, and a hearing on the appeal occurred on Thursday, October 6, 2022. Steven spoke to Bethesda Magazine, The Daily Beast, NPR, and other media outlets about the case.

"What they should be doing is they should be saying, 'Let's find a way to properly memorialize the people who are buried there. We'll remove part of the parking lot. We'll re-inter bodies. We'll put up new gravestones. We'll have a museum. We'll contribute money to this,'" Steven told Bethesda Magazine. "That's what they should have done in the first place."

"Right now, every day. Cars are parking on top of those bodies," Steven told The Daily Beast. "I think most people would agree that that's a desecration."

Last month, Steven spoke to Dr. Marsha Adebayo on "What's at Stake" on WPFW 89.3 FM. "All we're going to be asking the court to do is to enforce the law. The law that has been on the books for almost 200 years," Steven said. "How a government agency could

think its right to to continue to have cars park on top of 200 bodies, I just cant fathom."

The law referenced requires the seller of land that is or was used as a burial ground to bring an action in the county in which the burial ground is located so the court may decide whether, and under what terms and conditions, such a sale may take place.

A decision from the three-judge panel who heard the October 6 arguments is expected in a matter of weeks or months. The Washington Post, Bethesda Magazine, and ABC News covered the hearing. You can listen to the oral arguments in front of the Maryland Court of Special Appeals on the Maryland Court website.

Read the full article, titled "State appellate court to hear land dispute over African American cemetery in Bethesda," dated September 27, 2022, on the Bethesda Magazine website.

Read the full article, titled "Slavery descendants fight to memorialize a cemetery in Maryland," dated October 3, 2022, on the NPR website.

Read the full article, titled "Maryland Developers Are Trying to Desecrate a Black Cemetery - Again," dated October 8, 2022, on the Daily Beast website.