

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

PETITION OF:

Elyse Wilson, 2799 Decatur Drive, Adamstown, MD 21710
Kenneth Stephens, 2799 Decatur Drive, Adamstown, MD 21710
Frank J. Hollewa, 2706 Mae Wade Ave., Adamstown, MD 21710
Mark F. Sullivan, 2707 Longfield Pl., Adamstown, MD 21710
Erin Travis, 2705 Longfield Pl., Adamstown, MD 21710
Jill Sullivan, 2707 Longfield Pl., Adamstown, MD 21710
Paula C. D'Amico-Hollewa, 2706 Mae Wade Ave., Adamstown, MD 21710
Linda S. Everett, 5810 Moreland Dr. N., Adamstown, MD 21710
Gary W. Qualls Jr., 2635 Inwood Drive, Adamstown, MD 21710
Damian Qualls, 2635 Inwood Dr., Adamstown, MD 21710
Tricia Qualls, 2635 Inwood Dr., Adamstown, MD 21710
Jennifer Togle, 2635 Inwood Drive, Adamstown, MD 21710
David Overton, 2635 Inwood Drive, Adamstown, MD 21710
Kimberly Whitley, 5626 Haddington Dr., Adamstown, MD 21710
Rachel Mellinger, 5874 Union Ridge Dr., Adamstown, MD 21710
Carl Frederick Lyon, 5266 Mountville Rd., Adamstown, MD 21710
Priscilla Lyon, 5266 Mountville Rd., Adamstown, MD 21710
Christina Gregory, 5520 Mountville Rd., Adamstown, MD 21710
John T. Gregory, 5520 Mountville Road, Adamstown, MD 21710
Robert A. Pagonson, 5680 Mountville Road, Adamstown, MD 21710
David Herr, 2690 Lydia Ct., Adamstown, MD 21710
Richard L. Strawder, 6101 Manor Woods Road, Frederick, MD 21703
Erica Payne, 5523 Mountville Rd., Adamstown, MD 21710
Richard E. Simpson, 5517 Mountville Rd., Adamstown, MD 21710
Doris Simpson, 5517 Mountville Rd., Adamstown, MD 21710
Carol Simpson, 5517 Mountville Rd., Adamstown, MD 21710
(Petitioners)

FOR JUDICIAL REVIEW OF THE DECISION OF THE:

Maryland Department of the Environment, Air and Radiation Administration
(Respondent)
1800 Washington Boulevard, Baltimore, Maryland 21230
and
Amazon Data Services, Inc. *(Real Party in Interest)*
13820 Sunrise Valley Drive, Herndon, Virginia 20171

Continued Petitioners:
Patricia Strawder
6101 Manor Woods Rd
Frederick, MD 21703
Patty Bowman
5515A Mountville Rd
Adamstown, MD 21710
Thomas de la Vega
5523 Mountville Rd
Adamstown, MD 21710

IN THE CASE OF:

Permit-to-Construct Control No. B-08076 and Premises No. 021-0809

Case No. C10CV26368

**PETITION FOR JUDICIAL REVIEW
(Maryland Rules, Title 7, Chapter 200)**

Petitioners listed above, by and through undersigned (or self-represented), respectfully file this Petition for Judicial Review, and state as follows:

I. INTRODUCTION

This Petition challenges the Maryland Department of the Environment's ("MDE") final decision to issue a Permit-to-Construct to Amazon Data Services, Inc. for a data center facility authorizing the installation of ninety-nine (99) diesel emergency generators at 3250 Digital Drive, Frederick, Maryland 21703. The permit is identified by Control No. B-08076 and Premises No. 021-0809 and was issued effective March 25, 2026.

Petitioner(s) seek judicial review pursuant to Title 7, Chapter 200 of the Maryland Rules. MDE's final decision is arbitrary and capricious, results from unlawful procedure, and constitutes an abuse of discretion. Most critically, MDE completely failed to mandate the fundamental, site-specific safety measures requested by the community to protect children at Carroll Manor Elementary School—specifically, the installation of independent, real-time ambient air quality monitors and high-efficiency particulate air (HEPA) filtration mitigation for the aging school HVAC system.

II. PARTIES AND STANDING (Rule 7-202(c))

Lead Petitioner: Elyse Wilson

Address: 2799 Decatur Drive, Adamstown, MD 21710

Standing: Petitioner Elyse Wilson resides in the Green Hill Manor neighborhood, which is adjacent to the permitted data center site in Adamstown. Pursuant to Maryland Rule 7-202(c), Petitioner affirms she was a party to the agency proceeding by submitting comments and/or providing oral testimony during the public review and hearing period for the challenged permit. Petitioner is directly aggrieved by the agency decision due to the localized air pollution, particulate matter, and noise impacts on her immediate community and the adjacent Carroll Manor Elementary School.

Co-Petitioners: Additional aggrieved residents and parents are listed in the attached Joinder of Petitioners.

Respondent: Maryland Department of the Environment, Air and Radiation Administration, 1800 Washington Boulevard, Baltimore, Maryland 21230.

Real Party in Interest: Amazon Data Services, Inc., 13820 Sunrise Valley Drive, Herndon, Virginia 20171.

III. JURISDICTION AND VENUE

This Court has jurisdiction to review the challenged agency action pursuant to Maryland Rules 7-201 et seq. Venue is proper in Frederick County because the facility and its environmental impacts are located within this jurisdiction.

IV. TIMELINESS

MDE issued the final determination effective March 25, 2026. This Petition is filed on or before April 24, 2026, which is within the applicable 30-day statutory deadline to seek judicial review under Rule 7-203.

V. THE CHALLENGED AGENCY ACTION

MDE authorized 99 diesel generators: 92 rated at 2,750 kW, 6 at 750 kW, and 1 at 250 kW. The permit includes a NOx emissions cap of less than 25 tons per year to avoid major New Source Review.

VI. GROUNDS FOR RELIEF

COUNT I – FAILURE TO UPHOLD STATUTORY MISSION AND DUTIES

MDE failed its statutory mission to protect and preserve environmental resources and safeguard the health of citizens.

- MDE neglected its duty for long-term planning and research regarding the health impacts and costs of air quality, specifically concerning particulate matter and safer alternatives.
- MDE failed to provide adequate technical assistance to the affected community; there is a concerning lack of real-time air quality monitoring data for the local area.
- MDE ignored Frederick County's non-attainment status and disregarded its own internal plans for building and industry decarbonization.

COUNT II – ARBITRARY OR CAPRICIOUS DECISION-MAKING

MDE failed to engage in reasoned decision-making responsive to material public comments seeking site-specific safety protections for children. Internal equipment monitoring does not substitute for independent, real-time ambient air monitoring in an

2799 Decatur Drive
Adamstown, MD 21710
301-639-4072
elysewilsonkhk@gmail.com

(See subsequent attached pages for the Joinder of Petitioners containing the signatures of all additional Co-Petitioners.)

environment where children are present daily. The complete omission of school-centered mitigation measures reflects a predetermined outcome rather than deliberative analysis.

COUNT III – UNLAWFUL PROCEDURE

MDE curtailed stakeholder involvement by failing to provide adequate answers to specific community questions during the review process. When presented with concerns, MDE acted dismissively, telling residents that if they wanted change, they should "change the law." Furthermore, MDE failed to demonstrate whether the Air Quality Control Advisory Council agreed with this dismissive response, or whether MDE properly collaborated with the Council prior to approving Amazon's application.

COUNT IV – ABUSE OF DISCRETION

MDE abused its discretion by approving a massive diesel installation adjacent to an elementary school without imposing basic protective conditions—most notably failing to mandate HEPA filtration for the school's HVAC system, failing to require public-facing real-time air monitors, and failing to impose school-hour operational limits and noise mitigation—despite clear evidence of feasibility and overwhelming public concern.

VII. RELIEF REQUESTED

WHEREFORE, Petitioner(s) respectfully request that this Court:

- A. Accept jurisdiction over this matter;
- B. Order MDE to file the full administrative record;
- C. Reverse, modify, or remand the permit decision;
- D. Order MDE to mandate the installation of independent, real-time ambient air quality monitors on or immediately adjacent to the Carroll Manor Elementary School property, with direct data transparency provided to the public;
- E. Order MDE to mandate the installation of HEPA or equivalent high-efficiency filtration mitigation within the existing Carroll Manor Elementary School HVAC system to protect students from diesel particulate matter;
- F. Require MDE to meaningfully consider and impose enforceable noise and school-hour testing limits;
- G. Order MDE to fulfill its statutory duty for long-term planning and research regarding particulate matter; and
- H. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,



Elyse Wilson, Lead Petitioner

Elyse Wilson, Lead Petitioner

JOINDER OF PETITIONERS AND SIGNATURES

We, the undersigned, formally join this Petition for Judicial Review as aggrieved parties. We affirm we are directly impacted by the permitted facility. By signing below, I declare under penalty of perjury that the facts stated in this Petition are true and correct to the best of my knowledge and belief.

1.

Printed Name: Elyse Wilson
Signature: Elyse Wilson
Street Address: 2799 Decatur Drive
City, State, Zip Code: Adams town, MD 21710
Telephone Number: 301-639-4072
Email Address (Optional): elysewilsonkhk@gmail.com

2.

Printed Name: Frank J Hollawa
Signature: FJ Hollawa
Street Address: 2706 Mae Wade Ave
City, State, Zip Code: Adams town MD 21710
Telephone Number: 301-674-1101
Email Address (Optional): _____

3.

Printed Name: Kenneth Stephens
Signature: Kenneth Stephens

see next page
for rest of #3

Street Address: 2799 Decatur Drive
City, State, Zip Code: Adams town MD 21710
Telephone Number: 240-506-7804
Email Address (Optional): _____

4.

Printed Name: Jill Sullivan
Signature: Jill Sullivan
Street Address: 2707 Longfield Pl.
City, State, Zip Code: Adams town, MD 21710
Telephone Number: 301-503-5454
Email Address (Optional): jillsullivan99@gmail.com

5.

Printed Name: Paula C. D'Amico - Hollawa
Signature: Paula C. D'Amico - Hollawa
Street Address: 2700 MAE WADE AVE
City, State, Zip Code: Adams town, MD 21710
Telephone Number: 301-337-9357
Email Address (Optional): pdhollawa@yahoo.com

6.

Printed Name: _____

Signature: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address (Optional): _____

7.

Printed Name: Linda S. Everett

Signature: Linda S. Everett

Street Address: 5810 Marland Dr. N

City, State, Zip Code: Adams Jan, MD 21710

Telephone Number: 240-472-6742

Email Address (Optional): linda@edgesigngroup llc ^{COM} _{EDG}

8.

Printed Name: _____

Signature: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address (Optional): _____

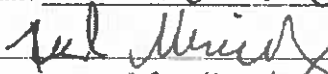
9.

Printed Name: Mark F Sullivan
Signature: *Mark F Sullivan*
Street Address: 2707 Longfield Pl.
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 246-453-5838
Email Address (Optional): mts331@gmail.com


10.
Printed Name: ERIN TRAVIS
Signature: *Erin Travis*
Street Address: 2705 Longfield Pl
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 858-248-2675
Email Address (Optional): elshea@gmail.com

11.
Printed Name: _____
Signature: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address (Optional): _____

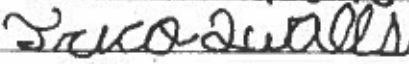
12.

Printed Name: Rachel Mellinger
Signature: 
Street Address: 5874 Union Ridge Dr
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 513-260-5498
Email Address (Optional): _____

13.

Printed Name: Damian Qualls
Signature: 
Street Address: 2635 inwood Dr.
City, State, Zip Code: Adamstown, MD, 21710
Telephone Number: 301-676-5541
Email Address (Optional): _____

14.

Printed Name: Tricia Qualls
Signature: 
Street Address: 2635 inwood Dr.
City, State, Zip Code: Adamstown, MD, 21710
Telephone Number: 301-401-7815
Email Address (Optional): _____

15.

Printed Name: Jennifer Fogle
Signature: Jennifer Fogle
Street Address: 2635 Inwood Drive
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 240-405-7350
Email Address (Optional): FallenLily@gmail.com

16.

Printed Name: David Overton
Signature: [Signature]
Street Address: 2635 Inwood Drive
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 301-606-3536
Email Address (Optional): d.overton@gmail.com

17.

Printed Name: Kimberly Whitley
Signature: [Signature]
Street Address: 5636 Haddington Dr.
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 240-446-4915
Email Address (Optional): _____

18.

Printed Name: Gary W. Qualls Jr

Signature: 

Street Address: 2635 Inwood Drive

City, State, Zip Code: Adamstown MD 21710

Telephone Number: 240 405 7349

Email Address (Optional): Gquallsjr@gmail.com

19.

Printed Name: _____

Signature: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address (Optional): _____

20.

Printed Name: _____

Signature: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

more signatures:

COUNT III – UNLAWFUL PROCEDURE

MDE curtailed stakeholder involvement by failing to provide adequate answers to specific community questions during the review process. When presented with concerns, MDE acted dismissively, telling residents that if they wanted change, they should "change the law." Furthermore, MDE failed to demonstrate whether the Air Quality Control Advisory Council agreed with this dismissive response, or whether MDE properly collaborated with the Council prior to approving Amazon's application.

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- H. Grant such other and further relief as the Court deems just and proper.

JOINDER OF PETITIONERS AND SIGNATURES

We, the undersigned, formally join this Petition for Judicial Review as aggrieved parties. We affirm we are directly impacted by the permitted facility. By signing below, I declare under penalty of perjury that the facts stated in this Petition are true and correct to the best of my knowledge and belief.

Printed Name: CARL FREDERICK LYON

Signature: CF Lyon

Printed Name: Richard L. Stauffer
 Submitted Comments to MDE? (Yes/No): Date: 4/23/2026
 Email Address (Optional): rls@comcast.net
 Telephone Number: 240-805-3165

City, State, Zip Code: Adams town, MD 21710
 Street Address: 2690 Lydia Ct
 Signature: [Signature]

Printed Name: David Hen
 Submitted Comments to MDE? (Yes/No): Date: April 23, 2026
 Email Address (Optional): zeldp197@comcast.net
 Telephone Number: 301-520-6429

City, State, Zip Code: Adams town, MD 21710
 Street Address: 5680 Mountville Road
 Signature: [Signature]

Printed Name: Robert Robinson
 Submitted Comments to MDE? (Yes/No): NO Date: 4/23/2026
 Email Address (Optional):
 Telephone Number: 301-461-1157

City, State, Zip Code: Adams town, MD 21710
 Street Address: 5266 Mountville Rd
 Signature: Priscilla Lyon

Printed Name: Priscilla Lyon
 Submitted Comments to MDE? (Yes/No): NO Date: 4/23/26
 Email Address (Optional):
 Telephone Number: 240 994 2610

City, State, Zip Code: ADAMSTOWN MD 21710
 Street Address: 5266 MOUNTVILLE RD

Signature: Richard L. Strawder
Street Address: 6101 Manor Woods Rd.
City, State, Zip Code: Frederick, Maryland 21703
Telephone Number: 240-215-5839

Email Address (Optional): _____

Submitted Comments to MDE? (Yes/No): _____ Date: April 23, 2026

Printed Name: Patricia Ann Smith-Strawder

Signature: Patricia A. Smith-Strawder

Street Address: 6101 Manor Woods Road

City, State, Zip Code: Frederick, MD 21703

Telephone Number: 240-422-6445

Email Address (Optional): _____

Submitted Comments to MDE? (Yes/No): _____ Date: 04/23/2026

Printed Name: PATTY BOWMAN

Signature: Patty Bowman

Street Address: 5515A MOUNTVILLE Rd

City, State, Zip Code: ADAMSTOWN MD 21710

Telephone Number: 301-310-1124

Email Address (Optional): _____

Submitted Comments to MDE? (Yes/No): _____ Date: 4/23/2026

Printed Name: THOMAS DE LA VEGA

Signature: Thomas de la Vega

Street Address: 5523 MOUNTVILLE ROAD

City, State, Zip Code: ADAMSTOWN MD 21710

Telephone Number: 301-512-8648

Email Address (Optional): _____

Submitted Comments to MDE? (Yes/No): _____ Date: 4/23/2026

Printed Name: Carol Simpson
 Signature: *Carol Simpson*
 Street Address: 5517 Mountville Rd
 City, State, Zip Code: Adamstown, MD 21710
 Telephone Number: 301-639-7107
 Email Address (Optional):

Submitted Comments to MDE? (Yes/No):
 Date: 4/23/2014

Printed Name: Doris Simpson
 Signature: *Doris Simpson*
 Street Address: 5517 Mountville Rd
 City, State, Zip Code: Adamstown, MD 21710
 Telephone Number: 301-874-2368
 Email Address (Optional):

Submitted Comments to MDE? (Yes/No):
 Date: 4-23-26

Printed Name: Richard E. Simpson
 Signature: *Richard E Simpson*
 Street Address: 5517 Mountville Rd, Adamstown, MD
 City, State, Zip Code: 21710
 Telephone Number: 301-874-2368
 Email Address (Optional):

Submitted Comments to MDE? (Yes/No):
 Date: 4/23/26

Printed Name: Erica Payne
 Signature: *Erica Payne*
 Street Address: 5523 Mountville Rd
 City, State, Zip Code: Adamstown, MD, 21710
 Telephone Number: 301-385-1774
 Email Address (Optional):

Submitted Comments to MDE? (Yes/No) _____ Date: 4/23/26
Printed Name: Christina Gregory
Signature: *Christina Gregory*
Street Address: 5520 Mountville Rd.
City, State, Zip Code: Adamstown, MD 21710
Telephone Number: 240-409-2563
Email Address (Optional): _____

Submitted Comments to MDE? (Yes/No): _____ Date: 4/23/2026
Printed Name: JOHN T. GREGORY
Signature: *John T. Gregory*
Street Address: 5520 MOUNTVILLE ROAD
City, State, Zip Code: ADAMSTOWN MD 21710-9611
Telephone Number: 240 409 2492
Email Address (Optional): CCJW5520@GMAIL.COM

Submitted Comments to MDE? (Yes/No): _____ Date: 04/23/2126
Printed Name: _____
Signature: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address (Optional): _____

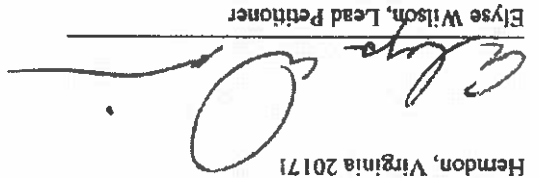
Submitted Comments to MDE? (Yes/No): _____ Date: _____
Printed Name: _____
Signature: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____

CERTIFICATE OF SERVICE

I hereby certify that on this 25 day of April 2026, a copy of the foregoing Petition for Judicial Review was served upon the following parties via first-class mail certified mail hand delivery:

Maryland Department of the Environment
Air and Radiation Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

Amazon Data Services, Inc.
13820 Sunrise Valley Drive
Herndon, Virginia 20171



Elyse Wilson, Lead Petitioner

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Justice of the Supreme Court of Maryland pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: PLAINTIFF DEFENDANT

CASE NUMBER C10CV 26368
(Clerk to insert)

CASE NAME: Elyse Wilson & Adamstown Citizens vs MDE vs.

PARTY'S NAME: Elyse Wilson and Citizens on this Petition PHONE: 301-639-4072

PARTY'S ADDRESS: 2799 Decatur Drive Adamstown, MD 21710

PARTY'S E-MAIL: elysewilsonkhk@gmail.com

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: _____ PHONE: _____

PARTY'S ATTORNEY'S ADDRESS: _____

PARTY'S ATTORNEY'S E-MAIL: _____

JURY DEMAND? Yes No

RELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____

ANTICIPATED LENGTH OF TRIAL?: _____ hours _____ days

PLEADING TYPE

New Case: Original Administrative Appeal Appeal

Existing Case: Post-Judgment Amendment

If filing in an existing case, skip Case Category/Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS

- Asbestos
- Assault and Battery
- Business and Commercial
- Child Victims Act
- Conspiracy
- Conversion
- Defamation
- False Arrest/Imprisonment
- Fraud
- Lead Paint - DOB of Youngest Plt: _____
- Loss of Consortium
- Malicious Prosecution
- Malpractice-Medical
- Malpractice-Professional
- Misrepresentation
- Motor Tort
- Negligence
- Nuisance
- Premises Liability
- Product Liability
- Specific Performance
- Toxic Tort
- Trespass
- Wrongful Death

CONTRACT

- Asbestos
- Breach
- Business and Commercial
- Confessed Judgment (Cont'd)
- Construction
- Debt

- Fraud
- Government
- Insurance
- Product Liability
- PROPERTY**
- Adverse Possession
- Breach of Lease
- Detinue
- Distress/Distrain
- Ejectment
- Forcible Entry/Detainer
- Foreclosure
- Commercial
- Residential
- Currency or Vehicle
- Deed of Trust
- Land Installments
- Lien
- Mortgage
- Right of Redemption
- Statement Condo
- Forfeiture of Property/Personal Item
- Fraudulent Conveyance
- Landlord-Tenant
- Lis Pendens
- Mechanic's Lien
- Ownership
- Partition/Sale in Lieu
- Quiet Title
- Rent Escrow
- Return of Seized Property
- Right of Redemption
- Tenant Holding Over

PUBLIC LAW

- Attorney Grievance
- Bond Forfeiture Remission
- Civil Rights
- County/Mncpl Code/Ord
- Election Law
- Eminent Domain/Condemn.
- Environment
- Error Coram Nobis
- Habeas Corpus
- Mandamus
- Prisoner Rights
- Public Info. Act Records
- Quarantine/Isolation
- Writ of Certiorari

EMPLOYMENT

- ADA
- Conspiracy
- EEO/HR
- FLSA
- FMI.A
- Worker's Compensation
- Wrongful Termination
- INDEPENDENT PROCEEDINGS**
- Assumption of Jurisdiction
- Authorized Sale
- Attorney Appointment
- Body Attachment Issuance
- Commission Issuance

- Constructive Trust
- Contempt
- Deposition Notice
- Dist Ct Mtn Appeal
- Financial
- Grand Jury/Petit Jury
- Miscellaneous
- Perpetuate
- Testimony/Evidence**
- Prod. of Documents Req.
- Receivership
- Sentence Transfer
- Set Aside Deed
- Special Adm - Atty
- Subpoena Issue/Quash
- Trust Established
- Trustee Substitution/Removal
- Witness Appearance-Compel
- PEACE ORDER**
- Peace Order
- EQUITY**
- Declaratory Judgment
- Equitable Relief
- Injunctive Relief
- Mandamus

OTHER

- Accounting
- Friendly Suit
- Grantor in Possession
- Maryland Insurance Administration
- Miscellaneous
- Specific Transaction
- Structured Settlements

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- Abatement
- Administrative Action
- Appointment of Receiver
- Arbitration
- Asset Determination
- Attachment b/f Judgment
- Cess & Desist Order
- Contemn Bid
- Contempt
- Court Costs/Fees
- Damages-Compensatory
- Damages-Punitive
- Earnings Withholding
- Judgment-Default
- Judgment-Interest
- Judgment-Summary
- Liability
- Oral Examination
- Order
- Ownership of Property
- Partition of Property
- Peace Order
- Possession
- Production of Records
- Quarantine/Isolation (Order)
- Reinstatement of Employment
- Return of Property
- Sale of Property
- Specific Performance
- Writ-Error Coram Nobis
- Writ-Execution
- Writ-Garnish Property
- Writ-Garnish Wages
- Writ-Habeas Corpus
- Writ-Inaudamus
- Writ-Possession

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

- Liability is conceded.
- Liability is not conceded, but is not seriously in dispute.
- Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

- Under \$10,000
- \$10,000 - \$30,000
- \$30,000 - \$100,000
- Over \$100,000
- Medical Bills \$ _____
- Wage Loss \$ _____
- Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

- Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)
- A. Mediation Yes No
 - B. Arbitration Yes No
 - C. Settlement Conference Yes No
 - D. Neutral Evaluation Yes No

SPECIAL REQUIREMENTS

- If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041
- If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

ESTIMATED LENGTH OF TRIAL

- With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.
- (Case will be tracked accordingly)
- 1/2 day of trial or less
 - 1 day of trial time
 - 2 days of trial time
 - 3 days of trial time
 - More than 3 days of trial time

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

- For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.
- Expedited - Trial within 7 months of Defendant's response
 - Standard - Trial within 18 months of Defendant's response
- EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under
Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.*

Expedited - Trial within 7 months of
Defendant's response

Standard - Trial within 18 months of
Defendant's response

**IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY OR BALTIMORE COUNTY,
PLEASE FILL OUT THE APPROPRIATE BOX BELOW.**

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- | | |
|--|---|
| <input type="checkbox"/> Expedited | Trial 60 to 120 days from notice. Non-jury matters. |
| <input type="checkbox"/> Civil-Short | Trial 210 days from first answer. |
| <input type="checkbox"/> Civil-Standard | Trial 360 days from first answer. |
| <input type="checkbox"/> Custom | Scheduling order entered by individual judge. |
| <input type="checkbox"/> Asbestos | Special scheduling order. |
| <input type="checkbox"/> Lead Paint | Fill in: Birth Date of youngest plaintiff _____ |
| <input type="checkbox"/> Tax Sale Foreclosures | Special scheduling order. |
| <input type="checkbox"/> Mortgage Foreclosures | No scheduling order. |

CIRCUIT COURT FOR BALTIMORE COUNTY

- | | |
|---|---|
| <input type="checkbox"/> Expedited
(Trial Date-90 days) | Attachment Before Judgment, Declaratory Judgment (Simple),
Administrative Appeals, District Court Appeals and Jury Trial Prayers,
Guardianship, Injunction, Mandamus. |
| <input type="checkbox"/> Standard
(Trial Date-240 days) | Condemnation, Confessed Judgments (Vacated), Contract, Employment Related
Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other
Personal Injury, Workers' Compensation Cases. |
| <input type="checkbox"/> Extended Standard
(Trial Date-345 days) | Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or
Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and
out-of-state witnesses (parties), and trial of five or more days), State Insolvency. |
| <input type="checkbox"/> Complex
(Trial Date-450 days) | Class Actions, Designated Toxic Tort, Major Construction Contracts, Major
Product Liabilities, Other Complex Cases. |

4/24/2026 _____
Date

2799 Decatur Drive _____
Street Address

Adamstown MD 21710 _____
City State Zip Code


Signature of Attorney-Party Attorney Number

Elyse Wilson _____
Printed Name

elysewilsonkhk@gmail.com _____
E-mail

C10 CV 26368

COVER MEMORANDUM

For Review by Environmental Nonprofits and Legal Counsel

TO: Environmental Advocacy Organizations, Public-Interest Law Firms, and Community Legal Partners

FROM: Concerned Parents and Residents of Frederick County, Maryland

RE: Petition for Judicial Review Challenging MDE Permit for Amazon Data Services Data Center – Frederick County, MD

DATE: April __, 2026

Purpose of This Memorandum

Attached please find a **Petition for Judicial Review / Administrative Mandamus** filed (or intended to be filed) in the **Circuit Court for Frederick County, Maryland**, challenging a final decision by the **Maryland Department of the Environment (MDE)** approving a permit for **99 diesel emergency generators** at an Amazon Data Services data center located at **3250 Digital Drive, Frederick, Maryland**.

We are sharing this petition with trusted **environmental organizations and legal professionals** to request:

- Review,
 - Feedback,
 - Legal insight, and/or
 - Potential support or involvement.
-

Summary of the Issue

On **March 25, 2026**, MDE issued a **Permit to Construct** authorizing the installation of **ninety nine (99) large diesel generators** adjacent to **Carroll Manor Elementary School**, a public school built in 1965 serving **more than 500 children**, including children with asthma and students in special education programs.

Despite extensive public testimony and written comments, MDE approved the permit **without requiring any of the school specific safety measures requested by parents and residents**, including:

- Real-time ambient air quality monitoring with public transparency;
- HEPA or equivalent filtration mitigation for the school's HVAC system;
- Restrictions on diesel generator testing during school hours; and
- Enforceable noise mitigation safeguards.

Public Record and Community Concerns

The public participation record includes formal, on the record testimony from parents and residents, preserved by MDE on its official YouTube channel:

Public Meeting | Amazon Data Services, Inc. | Frederick, MD Data Center Campus

<https://www.youtube.com/watch?v=LQm4z6ZF9u8>

This video documents repeated, specific concerns raised about:

- Diesel exhaust exposure near an elementary school;
- Increased risks to children with respiratory vulnerabilities;
- Noise impacts on learning environments and special-education classrooms; and
- The lack of real-time, independent air quality monitoring.

The final permit does not meaningfully address these concerns.

Legal Basis of the Petition

The petition seeks relief under Maryland Rules 7 401 through 7 403, asserting that MDE's decision was:

- Arbitrary and capricious (failure to engage in reasoned decision-making);
- The result of unlawful procedure (inadequate response to public comments); and
- An abuse of discretion, given the proximity to a sensitive receptor (a public elementary school).

The petition requests reversal or remand so MDE must meaningfully consider enforceable, school-centered mitigation measures.

Why This Matters Beyond This Case

This issue has broader implications for:

- Environmental justice;
- Protection of children as sensitive receptors under environmental permitting;
- Transparency and accountability in state air-quality permitting; and
- The siting and operation of data centers near schools and residential communities.

Comparable jurisdictions, including Loudoun County, Virginia, are actively reevaluating data-center standards with explicit consideration of **noise and onsite power generation impacts**—a contrast that underscores the concerns raised in this petition.

What We Are Requesting from Reviewers

We respectfully ask reviewers to consider providing any of the following, as appropriate:

- Legal analysis or feedback on the petition;
 - Amicus or organizational support;
 - Strategic guidance regarding environmental, public-health, or administrative-law issues; or
 - Referral to additional resources or counsel who may be interested.
-

Point of Contact

For follow-up or discussion, please contact:

Name: Elyse Wilson
Email: elysewilson@khl.com
Phone: 301-687-4072

Thank you for taking the time to review this matter and for your continued commitment to protecting public health, environmental integrity, and community voices.

Respectfully,
Concerned Parents and Residents of Frederick County, Maryland

