

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

**BETHESDA AFRICAN CEMETERY
COALITION, REVEREND OLUSEGUN
ADEBAYO, DAROLD CUBA, GENEVA
NANETTE HUNTER, and MONTANI
WALLACE**

Plaintiffs,

v.

**HOUSING OPPORTUNITIES
COMMISSION OF MONTGOMERY
COUNTY**

Defendant.

Civil Action No.: 486734V

ORDER

The above-captioned matter came before the Court on September 27, 2021, for a hearing on (1) Defendant's Motion to Dismiss the Complaint; and (2) Plaintiffs' Motion for Preliminary Injunction. The Court heard arguments from counsel on both motions, heard testimony from five witnesses, and received evidence from the parties. On October 25, 2021, the Court issued: (1) an Opinion and Order denying Defendant's Motion to Dismiss Plaintiffs' Complaint, and (2) an Opinion and Order granting Plaintiff's Motion for Preliminary Injunction. Thereafter, Defendant filed a Motion to Request Issuance of a Final Order, to which Plaintiffs filed a Response.

After full consideration of the evidence and testimony offered and received, and after full briefing and argument by the parties, the Court adopts the findings of and conclusions of law in the Court's Preliminary Injunction Opinion, filed October 25, 2021, and it is this **22nd day of November 2021**, hereby:

ADJUDGED, that Defendant has requested the Court to issue a Final Order in this matter granting Plaintiff's requested relief for a writ of mandamus, and that Plaintiff's do not oppose entry of a Final Order; and it is further

ORDERED, that in response to Defendant's Motion to Request Issuance of a Final Order, this Court is satisfied that the conditions for issuing a Writ of Mandamus are met for the reasons set forth in the Preliminary Injunction Opinion, and thus a Writ of Mandamus shall issue; and it is further

ORDERED that Defendant must comply with Md. Code Ann. Bus. Reg. § 5-505 (Action for Sale of Burial Ground for Another Purpose) prior to selling Westwood Tower Apartments and parcel 175. *See* Md. Rule 15-701.



Karla N. Smith, Judge
Circuit Court for Montgomery County,
Maryland