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RECENT DEVELOPMENT

TALBOT COUNTY V. MILES POINT PROPERTY

By: Leslee Tingle

WHEN A COUNTY COUNCIL MAKES A LEGISLATIVE DECISION UNDER THE AUTHORITY OF THE EXPRESS POWERS ACT OF THE MARYLAND CONSTITUTION, BOTH THE COUNTY BOARD OF APPEALS AND THE CIRCUIT COURT LACK APPELLATE JURISDICTION, THEREBY MAKING A WRIT OF MANDAMUS AN INAPPROPRIATE AVENUE OF RELIEF.

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