

Recording an altered deed will send you to the slammer. On August 20, 2012, the Maryland Court of Appeals reinstated the Circuit Court criminal conviction of Mr. Neger, who had altered the identity of the grantee in a deed. [Judge Barbera's](#) decision can be found in at 427 Md 582.

Maryland law says it just isn't kosher to counterfeit any aspect of a deed "with intent to defraud another." Judge [Gale Rasin](#), of the Circuit Court for Baltimore City convicted Mr. Neger under the statute, finding that his alteration of a deed to substitute himself as the grantee (the person receiving title) was "a fraud on the system of recording deeds."

Mr. Neger argued his good faith belief that he was the true owner of the property negated the crime. He took his argument to the [Maryland Court of Special Appeals](#), where the conviction was reversed.

The intermediate appellate court held that generally throwing a false deed into the land records was not a fraud on any particular person, and thus did not satisfy the statute's admonition against defrauding "another." The Specials held that "another" necessarily referenced a specific person, and not the greater mass of folks that rely on the accuracy of the land records system, such as you and me.

The highest appellate court, [Maryland's Court of Appeals](#), granted special permission for an additional appeal of the Specials' decision (given the fancy name "[writ of certiorari](#)"). The conviction was reinstated.



Judge Barbera wrote that the "intent to defraud another" exists where it is directed at any persons who rely on the recording system. It is not limited to a particular person in a particular transaction. In this case, Mr. Neger's good faith belief that he owned the entire interest in the real property did not negate the intent to defraud. He knew others would rely on the recorded item as a true statement of ownership, and that his name appeared as the grantee only because of his alteration.

So, what's the penalty? Well, aside from the weight of having a conviction for fraud follow you around, the on-line court docket shows that Mr. Neger received a two year sentence, with all but one day suspended, and two years probation.