

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 0231

September Term, 2015

ANASTASIA OGANOV

v.

SERGEY OGANOV

Eyler, Deborah S.,
Berger,
Moylan, Charles E., Jr.
(Retired, Specially Assigned),

JJ.

Opinion by Moylan, J.

Filed: December 8, 2015

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

This appeal is being dismissed prior to scheduled oral argument, because there is no issue calling for decision. The appellant is Anastasia Oganov ("Mother"). The appellee is Sergey Oganov ("Father"). The Mother and Father were married but were granted an absolute divorce by Judge Cynthia Callahan in the Circuit Court for Montgomery County on March 11, 2015. The couple have a five-year-old son, Julius.

In her Statement of Facts, the Mother tells us that three and one-half years ago, the Father was facing serious charges for driving while intoxicated and causing bodily injury to a number of individuals. To avoid prosecution, the Father fled to his native Russia, leaving the Mother and the then 18-month-old Julius behind. He has not been heard from since and, self-evidently, has not responded either to the Mother's suit for divorce or to this appeal.

In granting the absolute divorce on March 11, 2015, Judge Callahan issued the following judgment:

"JUDGMENT OF ABSOLUTE DIVORCE"

"This cause being presented for determination, and Order of Default having been signed and testimony having been taken and other evidence received before this Court on January 30, 2015, and the Court having made findings and a ruling on the record, it is this 11th day of March, 2015, by the Circuit Court for Montgomery County, Maryland,

"ADJUDGED, that the parties be, and are hereby, granted an absolute divorce; and it is further

"ORDERED, that the parties' minor child, Julius (5 years old), shall be in the primary physical and sole legal custody of Anastasia Oganov (Plaintiff/Mother) with reasonable visitation to Sergey Oganov (Defendant/Father), as agreed by the parties; and it is further

"**ORDERED**, that all other requests for relief by either party are denied."

(Emphasis supplied).

The Mother's appeal seems to be based on her mistaken belief that Judge Callahan did not grant her sole legal custody of Julius. Her Statement of the Case consists exclusively of the following:

"This is an appeal from a circuit court decision refusing to grant the Appellant, Anastasia Oganov's sole legal custody of her five-year-old son, Julius."

(Emphasis supplied).

In setting forth the "Question Presented," the Mother lists her request for sole legal custody as the only issue in contention:

"Did the circuit court abuse its discretion when it denied the Appellant's request for sole legal custody of her child when the Appellee has fled the county, has not attempted to contact his son, and has not requested to maintain legal custody?"

(Emphasis supplied).

In the Argument section of her brief, the Mother sets out a single argument:

"The circuit court abused its discretion in denying the Appellant's request of sole legal custody of the minor child because its denial did not consider the best interests of the child and did not entirely review the facts, such as the Appellee's criminal record."

(Emphasis supplied).

Judge Callahan's Order of Absolute Divorce expressly ordered that "Julius (5 years old) shall be in the ... sole legal custody of Anastasia Oganov (Plaintiff [])." (Emphasis supplied). The Mother received everything that she contends she was entitled to. There is no further relief that she has requested.

Accordingly, this appeal is dismissed as not allowed by law.

**APPEAL DISMISSED; COSTS
TO BE PAID BY APPELLANT.**