

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2580

September Term, 2014

ATHAR A. ABBASI

v.

RAFAT ABBASI

Wright,
Graeff,
Moylan, Charles E., Jr.
(Retired, Specially Assigned),

JJ.

Opinion by Moylan, J.

Filed: January 15, 2016

*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 a classic example of what is frequently the utter futility of a pro se appeal. We do know that the pro se appellant is Athar A. Abbasi. His or her pro se appellate brief, however, is incomprehensible. The Certificate of Service signed by the appellant would seem to indicate that the appellee may be Rafat Abbasi. There has been no responsive brief by Rafat Abbasi and no indication that he or she has any intention of responding.

The opening sentence of the appellant's brief tells us:

"On 12.23.14 the Montgomery County probate court (Mason, J.) denied reconsideration [] under Md. Rule 2-535(b), of its previous order of 11.07.97; the latest saga in the epic captioned by this court as Athar Abbasi v. the Orphans Court for Montgomery County, which initiated on 11.16.94 by the Circuit court for Montgomery as a 'guardianship of the person and property of Mehru Abbasi' (hereinafter Mehru), (Civil #125184), although Mehru was never a citizen of or resident in Montgomery County."

(Footnote omitted).

Representing the Circuit Court for Montgomery County, sitting as an Orphan's Court, was Judge Michael D. Mason. In a three-line Order signed on December 23, 2014, Judge Mason simply denied the appellant's motion. The opening sentence of the brief does tell us that the motion in question was for the circuit court to reconsider its "previous order of 11.07.97." The appellant has provided no copy of the motion and no indication of what reasons it gave in support of a reconsideration. From the three items included in the Record Extract, we infer that, even though the dates are slightly off, the intended subject for reconsideration was the two-page Consent Order signed by Judge Durke G. Thompson on September 17, 1997.

The appellant indicated that the reconsideration was being requested pursuant to Maryland Rule 2-545(b) but has not indicated what the "fraud, mistake, or irregularity" might be that would permit the filing for reconsideration approximately 17 years after the Consent Order had been filed. Without offering any legal support or argument for what he wants, the appellant seems to be raising arguments he might have had in 1997. In any event, no appeal was taken from the Consent Order of 1997.

It is not our job to ferret out the history of a case that is not presented to us or to make a case for the appellant he does not make for himself. Under the circumstances, our holding is necessarily based on Judge Wilner's pronouncement in Denicolis v. State, 378 Md. 646, 657, 837 A.2d 944 (2003):

"It is true that a trial court's actions and decisions are generally presumed to be correct and that it is the appellant's burden to produce a record sufficient to show otherwise."

(Emphasis supplied).

The appellant, who bears the burden of proof, has done nothing to rebut that presumption that Judge Mason was not in error. We have, therefore, no reason to disturb the status quo.

**JUDGMENT AFFIRMED; COSTS
TO BE PAID BY THE APPELLANT.**