

Circuit Court for Anne Arundel County
Case # C-94 16022 DV

IN THE COURT OF APPEALS OF

MARYLAND

No. 4

September Term, 1998

KIMBERLY BOSWELL

v.

ROBERT G. BOSWELL

Bell, C.J.
Eldridge
Rodowsky
Chasanow
Raker
Wilner
Cathell,

JJ.

Concurring opinion by Cathell, J.

Filed: December 18, 1998

I concur with the result reached by the Court.

Because I view the trial judge's decision in *North v. North* to have been correct based on, as it was, her opinion that Mr. North could not be trusted to keep his children from harm, an opinion supported by strong evidence of prior untrustworthy conduct by Mr. North, I do not believe the factual situation in the instant case is similar to that in *North*. I cannot join the majority in its reasoning that the two cases are similar. It is because I perceive a different pattern of conduct by Mr. Boswell that I concur in the result in the instant case. Simply stated, Mr. Boswell does not appear to be a Mr. North.