

Circuit Court for Prince George's County
Case No.: C-16-FM-24-005532

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 0053

September Term, 2025

ROBERT CAMPBELL

v.

DENISE CAMPBELL

Zic,
Ripken,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 26, 2025

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

Robert Campbell appeals from the judgment of absolute divorce granted to Denise Campbell by the Circuit Court for Prince George’s County. He maintains that the circuit court erred in failing to address marital property. Because his motion for reconsideration has not been ruled upon by the circuit court, we shall remand without addressing the merits.

On July 7, 2024, Ms. Campbell, representing herself, filed a Complaint for Absolute Divorce using a form document (CC-DR-020) in which she sought a divorce based on irreconcilable differences and following a separation that exceeded six months. Her complaint reflects that she was not seeking alimony and that she and her spouse had “no marital property that needs to be decided by the court.”

On September 27, 2024, Mr. Campbell, also using a form (CC-DR-050), filed an Answer to the Complaint in which he “den[ied]” all but one of the statements made in Ms. Campbell’s complaint.¹ He requested that the court “Dismiss / Deny” the complaint filed by Ms. Campbell. He also checked the box next to the statement: “Order any other appropriate relief.” On October 2, 2024, the parties were advised that a merits hearing would be held on January 21, 2025.

Mr. Campbell, who was also self-represented, did not file a counter-complaint for divorce. Nor did he file a joint statement of marital and non-marital property as required by Maryland Rule 9-207 when a monetary award or other relief under Md. Code, Family Law § 8-205 (concerning marital property) is at issue.

¹ He “admit[ted] the statement” set forth in Paragraph 10 of the Complaint, wherein Ms. Campbell stated that she was “not seeking alimony[.]”

On January 21, 2025, the parties appeared before a magistrate for a merits hearing on Ms. Campbell’s complaint. The court confirmed that she was not seeking a monetary award; that the parties had lived separate and apart and without interruption since March 1, 2022; and that the dissolution of the marriage was based on irreconcilable differences. The court noted that Mr. Campbell had filed an answer to the complaint, but not a counter-complaint. Mr. Campbell did not dispute the grounds for the divorce, but asked whether, “in terms of the property, I’m not allowed any financial gain from the property as far as equity in the home that I lived in for, like, over 20 years?” The court responded that he had not filed a counter-complaint and that his answer to Ms. Campbell’s complaint “did not indicate anything but to dismiss the complaint for absolute divorce.”

When asked whether he could “appeal this[,]” the magistrate informed him that he would receive a copy of the proposed order granting Ms. Campbell’s request for an absolute divorce and “within the proposed order, it will indicate what your options are” and that he would have “an opportunity to file exceptions if you so choose.”

It appears that a proposed order was prepared and informed the parties that “if written exceptions are not filed on or before **January 31, 2025**,” the proposed order would be submitted to the court for approval. On February 7, 2025, Mr. Campbell filed a pleading he captioned “Motion for Exceptions.” In that paper, he stated:

I’m asking the court to allow me to add exceptions to the above case #. I didn’t receive notice of what transpired on 1/21/25 until February 1, 2025. That doesn’t allow the ten days that was required by the court. I specifically asked the magistrate/judge for paperwork after she made her final judgment. She told me to wait for something to come in the mail. I was not given any paperwork that morning.

In this motion, Mr. Campbell did not set forth any exceptions he may have had to the magistrate’s proposed order granting Ms. Campbell a judgment of absolute divorce.

On February 10, 2025, the court entered on the docket the judgment of absolute divorce. On February 18, 2025, Mr. Campbell filed a motion for reconsideration because “marital assets” were not addressed at the January 21st hearing and asserting that his answer to the complaint included “a denial response” that he believed was overlooked. He claimed that he had been “under the impression” that, at the January 21st hearing, “marital property, pension plans, retirement, health insurance, etc.” would be addressed and asked that his self-represented status not be held against him. He also requested a hearing on his motion.

By order entered on March 4, 2025, the court dismissed Mr. Campbell’s “exceptions,” noting that they were filed untimely. Also on March 4th, the magistrate filed a “memorandum” indicating she was “hereby denying” Mr. Campbell’s motion for reconsideration and would forward “the Judgment from the hearing to the Circuit Court Judge for signature.” As far as we can discern from the record before us, there was no hearing on the motion for reconsideration and no order entered by a circuit court judge denying Mr. Campbell’s motion for reconsideration.² On March 6, 2025, Mr. Campbell filed a notice of appeal.

DISCUSSION

² A stamped “DENIED” appears on the top of Mr. Campbell’s motion and underneath that the magistrate’s signature. We have not seen anything in the record reflecting that a circuit court judge denied the motion.

On appeal, Mr. Campbell challenges the court’s failure to address marital property issues. He asserts that throughout the marriage, he and Ms. Campbell resided in a home “titled solely” in her name and that he “contributed to the household in both financial and non-financial ways, including maintenance, caregiving, and family support.” He also claims that during the marriage Ms. Campbell “accrued a substantial 401(k) retirement account” and that this “asset was neither excluded by agreement nor waived” by him and “no Qualified Domestic Relations Order (QDRO) or monetary award was issued.” He maintains that the court’s failure to address marital property was error and his checking the box on his answer to the complaint requesting “any other appropriate relief” constituted “a general request for equitable remedies, and it has legal force.” Given his self-represented status, he asserts that his pleadings should have been liberally construed. He seeks a “limited remand” for the circuit court to address the division of marital property.

Ms. Campbell responds that Mr. Campbell “did not file a Counter-Complaint or provide the trial court with any other indication that he opposed [her] contention that there was no marital property to be divided.” Nor did he make “any attempts . . . to assist the court in identifying and valuing alleged marital property.” And she notes that his “exceptions” to the magistrate’s recommendation failed to “provide the court with any reason for failing to present evidence about marital property during the divorce merits hearing.” Accordingly, she urges this Court to affirm the judgment.

We are unable to address the merits as the record does not reflect that a judge of the circuit court ruled on Mr. Campbell’s motion for reconsideration, which he filed within ten days of the entry of the judgment of absolute divorce. Although the magistrate purported

to deny it, she is not a “judicial officer” and does not have “judicial powers,” but is rather an “assistant and advisor to the court.” *O’Brien v. O’Brien*, 367 Md. 547, 554 (2002). *See also* Md. Rule 9-208(i)(1) addressing the role of a magistrate in family law matters and providing that a magistrate’s recommendations and proposed order are reviewed by a judge who then “may direct entry of the order or judgment or take other appropriate action.”

For a judgment to be final, it must be “an unqualified, final disposition of the matter in controversy.” *O’Brien*, 367 Md. at 554 (quotation omitted). “When a motion to alter or amend an otherwise final judgment is filed within ten days after the judgment's entry, the judgment loses its finality for purposes of appeal.” *Green v. Hutchinson*, 158 Md. App. 168, 171 (2004) (cleaned up). “A motion to revise a court's judgment, however labeled, filed within ten days after the entry of judgment will be treated as a Rule 2-534 motion” to alter or amend the judgment. *White v. Prince George’s County*, 163 Md. App. 129, 140 (2005) (cleaned up).

Accordingly, we dismiss this appeal and remand the case to the circuit court for further proceedings on Mr. Campbell’s motion for reconsideration. Thereafter, any aggrieved party may note a timely appeal of a final judgment.³

**APPEAL DISMISSED. CASE REMANDED
TO THE CIRCUIT COURT FOR PRINCE
GEORGE’S COUNTY FOR FURTHER
PROCEEDINGS CONSISTENT WITH
THIS OPINION. COSTS EQUALLY SPLIT
BETWEEN APPELLANT AND APPELLEE.**

³ If the court denies Mr. Campbell’s motion and he files a timely appeal, he may file a request with the Clerk of this Court asking that the new appeal proceed on the briefs filed in this appeal.