

Circuit Court for St. Mary's County
Case No. 18-C-16-750

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 254

September Term, 2017

POLLY TRAYNHAM

v.

JOHN DOES, *et al.*

Woodward, C.J.,
Kehoe,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 13, 2018

*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.

Polly Traynham, appellant, appeals from the denial of her amended motion for summary judgment, by the Circuit Court for St. Mary’s County, claiming that the court erred in denying that motion without a hearing. For the reasons that follow, we dismiss the appeal.

Generally, “a party may appeal only from a final judgment.” *St. Joseph Med. Ctr., Inc. v. Cardiac Surgery Assocs.*, 392 Md. 75, 84 (2006) (internal quotation marks and citation omitted). To constitute a final judgment, a ruling of the court must have various attributes, among them that the judgment must be intended by the court to be an unqualified, final disposition of the matter in controversy and it must adjudicate all claims against all parties. *Rohrbeck v. Rohrbeck*, 318 Md. 28, 41 (1989). Here, the circuit court’s denial of Traynham’s motion for summary judgment was not an unqualified final disposition of the matter in controversy and did not adjudicate any of her claims. *See Porter Hayden Co. v. Commercial Union Ins. Co.*, 339 Md. 150, 164 (1995) (noting that “it is well established in Maryland that the denial of a motion for summary judgment is ordinarily not a final judgment from which an appeal may be taken”). Moreover, the court’s decision is not an appealable interlocutory order under Section 12-303 of the Courts and Judicial Proceedings Article of the Maryland Code (1973, 2013 Repl.Vol.), because none of its exceptions apply to this case. Finally, the requirements of the collateral order doctrine have not been met because the denial of Traynham’s summary judgment motion did not conclusively determine any issue and can also be effectively reviewed following the entry of a final judgment. *See Maryland Bd. of Physicians v. Grier*, 451 Md. 526, 546 (2017) (noting that the collateral order doctrine is a “narrow exception” to the final judgment rule

that requires the interlocutory order being appealed to satisfy four requirements, including that it “must conclusively determine the disputed question” and that “the issue [decided] would be effectively unreviewable if the appeal had to await the entry of a final judgment”).

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