

Circuit Court for Montgomery County
Case No.: C-15-CV-22-003783

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 258

September Term, 2023

DEREK N. JARVIS

v.

MOM'S ORGANIC MARKET, INC.

Wells, C.J.,
Arthur,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: September 27, 2023

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

Derek N. Jarvis, appellant, sued MOM’s Organic Market, Inc., appellee, in the Circuit Court for Montgomery County, alleging discrimination, harassment, and negligent training and supervision. MOM’s moved to dismiss Jarvis’s complaint because it failed to state a claim for relief, and Jarvis filed an opposition. The circuit court granted the motion and dismissed the case without prejudice. It did not hold a hearing before doing so.

On appeal, Jarvis contends the circuit court ran afoul of Maryland Rule 2-311(f) by not holding a hearing on MOM’s dispositive motion before granting it. He does not challenge the merits of the court’s ruling; only its failure to hold a hearing. But Rule 2-311(f) only requires a court hold a hearing on a dispositive motion “*if one was requested[.]*” (Emphasis added). MOM’s did not request a hearing in its motion. And Jarvis did not request a hearing in his opposition. The court was therefore not required to hold one before granting MOM’s motion and dismissing the case.¹

**JUDGMENTS OF THE CIRCUIT
COURT FOR MONTGOMERY
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**

¹ Also pending before the Court is Jarvis’s “Motion for Summary Reversal,” filed September 11, 2023. The filing is identical to Jarvis’s principal brief. Given our resolution of the issues in this appeal, the motion is denied.