

Circuit Court for Prince George's County
Case No. C-16-CV-24-003907

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 0433

September Term, 2025

IN THE MATTER OF
DONNA YOUNG, ET AL.

Reed,
Shaw,
Kenney, James A., III,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Reed, J.

Filed: May 26, 2026

*This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This case asks whether the Circuit Court for Prince George’s County properly dismissed, as moot, a petition for judicial review seeking to remove a public official who had already resigned from office. Donna Young, Tonya Wingfield, Derrick Homesley, and Sherman Hardy (collectively, “Appellants”) filed a petition with the Maryland State Board of Education (“MSBE”) seeking to remove Shayla Adams-Stafford from the Prince George’s County Board of Education (the “Board”). After the MSBE denied the petition, Appellants sought judicial review in the circuit court. Ms. Adams-Stafford then resigned from the Board and moved to dismiss the petition as moot. Appellants did not oppose the motion. The circuit court granted the unopposed motion and dismissed the petition with prejudice.

We have consolidated and rephrased Appellants’ four questions¹ as follows:

I. Did the circuit court err in granting the unopposed motion to dismiss?

¹ Appellants phrased the questions presented as follows:

1. Did the Circuit Court err in dismissing the Petition for Judicial Review as moot when a justiciable controversy remained?
2. Did the Circuit Court err in failing to apply the public interest exception to mootness, where the removal of elected school board members implicates issues of governance and accountability that are likely to recur?
3. Did the Circuit Court err in dismissing the Petition with prejudice, thereby foreclosing future remedies on matters of public trust without adjudicating the merits?
4. Did the Circuit Court err in granting Respondent’s Motion to Dismiss by disregarding Petitioners’ timely December 23, 2024, opposition and concluding, despite a pending event occurring before the ruling, that no opposition was filed?

II. Did the circuit court err in granting dismissal with prejudice?

For the following reasons, we shall affirm the judgment of the circuit court.

BACKGROUND

On April 1, 2024, Appellants filed a petition with the MSBE seeking to remove Ms. Adams-Stafford, then Chair of the Board, for “Misconduct in Office/Immorality.” The allegations concerned the Board’s reimbursement of legal fees Ms. Adams-Stafford incurred defending against an ethics complaint in her official capacity. School System staff authorized the reimbursement in reliance on Board counsel’s opinion and the plain language of HB 1079, Ch. 793, Acts of 2023, which authorized payment of legal fees for Board members who acted in good faith and within the scope of their authority. *See* Md. Code, EDUC. § 4-104(c)(3) (authorizing payment of counsel fees for Board members involved in litigation arising from service in official capacity). The fees were paid directly to Ms. Adams-Stafford’s law firm. She never received the funds personally.

The MSBE denied Appellants’ removal petition on July 23, 2024, finding no cause for removal. Appellants filed a petition for judicial review on August 22, 2024, seeking to reverse the MSBE’s decision and remove Ms. Adams-Stafford from the Board. The petition sought no other relief.

On December 19, 2024, Ms. Adams-Stafford resigned from the Board. On December 23, 2024, before any motion to dismiss had been filed, Appellants filed a pleading titled “Opposition to a Motion to Dismiss the Judicial Review Because Respondent’s Imminent Resignation from the Prince George’s County School Board[.]”

Appellants asked the court to “deny any Motion to Dismiss[,]” although no motion to dismiss was pending.

Ms. Adams-Stafford filed her motion to dismiss almost two months later, on February 14, 2025. Appellants neither opposed the motion nor requested an extension of the fifteen-day deadline under Maryland Rule 2-311(b). On March 6, 2025, the circuit court granted the unopposed motion and dismissed with prejudice. Appellants moved for reconsideration, which was denied on April 22, 2025.

DISCUSSION

I. The circuit court did not err in granting the unopposed motion to dismiss.

The proper standard for reviewing the grant of a motion to dismiss is whether the trial court was legally correct. *E.g., Higginbotham v. Pub. Serv. Comm’n of Maryland*, 171 Md. App. 254, 264 (2006).

Maryland Rule 2-311(b) requires a party to file a response to a motion within 15 days of service. If a party fails to do so, the court may proceed to rule on the motion. Ms. Adams-Stafford filed her motion on February 14, 2025. Appellants filed no response. The circuit court thus treated the motion as unopposed, because it was, and granted it.

Appellants contend their December 23, 2024, filing served as an opposition. It did not. Rule 2-311(b) requires a response “after being served with the motion.” A filing lodged nearly two months before the motion it purports to oppose does not satisfy that requirement. Appellants’ failure to file a timely opposition is, by itself, sufficient to affirm the circuit court’s dismissal.

Dismissal was also correct on the merits. A case is moot when there is no longer “a justiciable controversy because the issues involved have become academic or dead.” *Hampton Assocs. Ltd. P’ship v. Baltimore Cnty.*, 66 Md. App. 551, 554 (1986). Appellants’ petition sought one thing: removal of Ms. Adams-Stafford from the Board. She resigned on December 19, 2024. No court can remove a person from a position she no longer holds.

Appellants invoke *Friends of the Earth, Inc. v. Laidlaw Environmental Services*, 528 U.S. 167 (2000), and *City of Mesquite v. Aladdin’s Castle, Inc.*, 455 U.S. 283 (1982), for the proposition that voluntary cessation does not moot a case. *Laidlaw*, 528 U.S. at 190. Otherwise, courts would be compelled to leave “[t]he defendant . . . free to return to his old ways.” *City of Mesquite*, 455 U.S. at 289 n.10 (quoting *United States v. W. T. Grant Co.*, 345 U.S. 629, 632 (1953)).

Ms. Adams-Stafford resigned from the Board and was elected to a different public office. She cannot return to the Board seat, and no court can remove her from a position she no longer holds. That Ms. Adams-Stafford now serves on the County Council does not alter this conclusion. The petition sought her removal from the Board under authority specific to Board members, and any dispute arising from her Council service would involve different law, different facts, and different parties.

Appellants did not raise the public interest exception in the circuit court, and it is thus unreserved. Md. Rule 8-131(a). Even on the merits, the exception is unavailing. Maryland courts may address moot questions only when “the urgency of establishing a rule of future conduct in matters of important public concern is imperative and manifest.” *J.L. Matthews, Inc. v. Md.-Nat’l Capital Park & Planning Comm’n*, 368 Md. 71, 96 (2002)

(quoting *Lloyd v. Bd. of Supervisors of Elections*, 206 Md. 36, 43 (1954)). For the exception to apply, the issue must be likely to recur frequently with the same impediment to timely adjudication. *Id.* Appellants’ fact-specific dispute over Ms. Adams-Stafford’s legal fee reimbursement does not meet that standard.

II. The circuit court did not err in granting dismissal with prejudice.

Appellants argue dismissal should have been without prejudice, citing *Coburn v. Coburn*, 342 Md. 244 (1996). *Coburn*, however, addressed evidentiary standards for protective orders in domestic violence cases and invoked the public interest exception to reach the merits. *Id.* at 250. *Coburn* did not hold that moot cases must be dismissed without prejudice.

Dismissal with prejudice of moot cases is permissible and appropriate. *See, e.g., Harvey v. Demarinis*, 486 Md. 496, 500 (2024) (order directing dismissal with prejudice as moot). Appellants sought removal of a Board member who no longer serves in that role. No useful purpose would be served by permitting Appellants to refile a petition seeking relief that the court cannot grant.

**JUDGMENT OF THE CIRCUIT COURT
FOR PRINCE GEORGE’S COUNTY
AFFIRMED. COSTS TO BE PAID BY
APPELLANTS.**