

Circuit Court for Baltimore City
Case No. 24-D-18-000366

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 663

September Term, 2019

PEARNELL WILSON

v.

DIONNE DYSON

Berger,
Leahy,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 14, 2020

*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.

Pearnell Wilson, appellant, and Dionne Wilson, appellee, are the parents of M.W., a minor child. On May 13, 2019, the Circuit Court for Baltimore City entered an order awarding Ms. Wilson sole legal and physical custody of M.W. Mr. Wilson was granted supervised visitation for a period of eight weeks, with visitation thereafter to be determined by Ms. Wilson. He was also ordered to pay \$324.00 per month in child support. He filed a notice of appeal, but in his brief Mr. Wilson does not set forth any relevant facts from the custody hearing or address the merits of the order as it relates to court’s child custody or child support determinations.¹ Rather, he raises a number of procedural and constitutional claims that, although difficult to follow, reduce to three issues: (1) whether the court had jurisdiction to enter the custody order because, he claims, his involvement in the proceeding was “under duress” and “not voluntary” and there was “no evidence of [his signature] anywhere on an obligation agreement”; (2) whether the court erred in not dismissing Ms. Dyson’s custody complaint for lack of standing because there was “a lack of evidence showing an injury in fact”; and (3) whether the court erred in denying his request for a jury trial “as secured under the 7th Amendment for any controversy over \$20 or more.”

These claims lack merit. There is no question that Mr. Wilson was subject to the jurisdiction of the circuit court, regardless of whether he signed an agreement or consented to the proceeding. *See* Courts and Judicial Proceedings Art., § 1-501 (providing that the

¹ In other words, he does not contend that the court’s factual findings were clearly erroneous or that it made an error of law in making its custody determination or in calculating the amount of child support owed. We have nevertheless reviewed the record and discern no error in the court’s custody or child support determinations.

circuit court has “full common-law and equity powers and jurisdiction in all civil and criminal cases within its county, and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred exclusively upon another tribunal”). Moreover, Ms. Dyson clearly had standing to file an action for child support and child custody as she was the mother of the minor child.

Finally, the court did not err in denying Mr. Wilson’s request for a jury trial. The right to a jury trial guaranteed by the Seventh Amendment does not apply to the states. *Consumer Protection Div. v. Morgan*, 387 Md. 125, 189 (2005). And Mr. Wilson was not entitled to a jury trial under Article 23 of the Maryland Declaration of Rights as there is no right to a jury trial in Maryland in civil proceedings in equity, *see Allnut v. Comptroller of the Treasury*, 61 Md. App. 517, 526 (1985), and resolving issues related to the custody and support of a minor child is solely a function of equity courts. *Ross v. Hoffman*, 280 Md. 172, 174 (1977); *see also* Family Law Art. § 1-201. Consequently, we shall affirm the judgment of the circuit court.

**JUDGMENT OF THE CIRCUIT
COURT FOR BALTIMORE CITY
AFFIRMED. COSTS TO BE PAID
BY APPELLANT.**