Circuit Court for Queen Anne's County
Case No.: C-17-FM-23-000116

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND*

No. 0130 & 0666

September Term, 2025

WILLIAM SARPALIUS

v.

JENNIFER SARPALIUS

Wells, C.J.,
Nazarian,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Harrell, J.

Filed: April 28, 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 appeal concerns sequelae from a divorce action between William Sarpalius ("Husband"), appellant, and Jennifer Sarpalius ("Wife"), appellee, in the Circuit Court for Queen Anne's County. Appellant presents the following questions for our consideration:

1. Did the Trial Court err when [the judge] failed to recuse herself after showing clear bias in her Order of [13 May] 2025?

2. Did the Trial Court err when it made findings regarding the marital property and the amount of the monetary award awarded to [Husband]?

3. Did the Trial Court err when it failed to award [Husband] any alimony despite [Wife's] significantly higher income and other factors favoring [Husband]?

4. Did the Trial Court err when it failed to award [Husband] attorneys' fees?

For reasons we shall reveal, we affirm the judgment.

BACKGROUND

The parties were married in 2004 in Louisiana. They separated in April 2023 while living in Maryland. They have lived since separate lives. At the time of trial, Husband was seventy-seven years old. Wife is nineteen years his junior.

Husband met Wife when his lobbying firm accepted as a client her then-employer, CHRISTUS Health. He described the first ten years of their marriage as "magical," but opined ultimately that Wife's regular work travel and their lack of intimacy led to the collapse of the marriage. Wife ripostes that the decay of the marriage was caused by Husband's extramarital affairs, emotional and physical abuse, and financial irresponsibility.

Husband is retired, having enjoyed a long career in government and politics. He receives monthly retirement income from the entities in which he served, the Texas state government and the U.S. Congress, as well as monthly Social Security income.

After retiring from government service, he pivoted to the haven of many former government servants, lobbying. At the time of the proceedings in the circuit court, he reported but a sole lobbying client. Husband nets about $4,000 per month from representation of this client, within an asserted gross monthly income of $7,000. Husband had some health concerns that he believed led to a significant decrease in the number of his clientele, which impacted adversely his income. He has also a side business selling Congressional service rings, but claimed that he does not receive presently income from that venture.

Over the course of these proceedings, Husband provided to the court and to Wife three varying financial statements. In the statement submitted on 15 September 2023, he listed his gross monthly income as $8,167. On 9 September 2024, Husband filed a financial statement in which he listed his updated gross monthly income as $7,781. In his 10 February 2025 statement, he disclosed a gross monthly income of $12,028.39, which included $3,702.99 and $1,459 gross retirement income from the state of Texas and the U.S. Congress, respectively.

Husband claimed that his gross monthly income increased from September 2023 to February 2025 because his sole lobbying client increased its monthly payment by $2,000 in 2023. He could not account for the additional $2,000 discrepancy. He could not explain

either why his gross monthly income decreased from September 2023 to September 2024 when he had received allegedly an increase in lobbying income.

Husband admitted that he filed the February 2025 statement reflecting the increased income after Wife's counsel confronted him during a deposition with loan applications completed for the purchase of a Land Rover vehicle and garden tractor, and financing the replacement of the HVAC system for the former marital home, all of which applications indicated that he claimed a gross monthly income of $14,000, leading to a gross annual income of $180,000.

Wife is a Certified Public Accountant ("CPA"), who worked in finance in the healthcare field for much of her career. At the time of trial, she was the relatively new Chief Financial Officer of the University of Texas Medical Branch ("UTMB"). Wife lists her gross monthly income as $43,750. Wife asserts that she was the primary monetary and non-monetary contributor throughout the marriage.

Husband and his first wife bought the marital home in 1996 for $538,000. He received the home in settlement when they divorced. He put Wife's name on the deed on 8 June 2005. Wife alleged that her name is the only name on the mortgage because they refinanced the home soon after their marriage when Husband did not have a good credit score. The parties agreed that the house is worth about $1,830,000. They spent about $100,000 on improvements to the property over the years.

Husband lived alone in the former marital home after the parties separated. During that time, he funded personally the HVAC overhaul, the removal of several trees, and the purchase of the new John Deere lawnmower/tractor. Since the separation, Wife paid the

mortgage, insurance, and taxes for the house. As he was living on the property, Husband paid the other household expenses and utilities. He testified that he would like to stay in the home and that he would be able to maintain it on his own. Husband did not provide documentation to the court of his ability to pay for the mortgage and upkeep of the marital home. He hoped to use his portion of the marital property division to buy Wife's interest in the house. Wife requested rather that the court order a judicial auction sale of the marital home.

A Fidelity Brokerage Investment Account (x2957) is Husband's and Wife's only joint account. Its contents were frozen at the beginning of the proceedings. Wife paid the mortgage and all shared bills out of this joint account at first, but she started using her own funds for these payments when Husband moved his retirement income to a separate account in his name. Husband stopped making payments towards the mortgage in April 2023.

Husband alleged that Wife's Fidelity Rollover IRA (x7639) is marital property. Wife testified that the account contains money from retirement accounts with her former employers Memorial Hermann and CHRISTUS Health that she contributed to prior to the marriage. Her employment with Memorial Hermann was entirely pre-marital. Wife worked for CHRISTUS Health for six years before the marriage and two years after the marriage.

Wife's current employer, UTMB, offers presently an unfunded deferred compensation plan, but there is no guarantee that she will receive any benefit from this plan as it is awarded at the discretion of the UTMB president. Wife accepted the job at UTMB while married to Husband, but did not start that employment until after they separated.

Eric Rollinger was qualified as Wife's expert witness in accounting, financial forensics, taxation, tracing, and valuation. He was retained to determine what portion, if any, of Wife's rollover IRA was non-marital property. Rollinger valued the non-marital portion of the rollover IRA at $461,575 and the marital portion at $985,126.

According to Rollinger, the CHRISTUS Health account contained both marital and non-marital funds. When determining the value of this particular account, he reported that he used a "conservative" estimate based on the maximum contribution amount Wife could have made during the two years she worked at CHRISTUS Health while married to Husband, with a growth rate informed by the S&P 500.

Rollinger determined that the account from Memorial Hermann was entirely non-marital because Wife contributed to that prior to the marriage. He admitted that he did not use exact numbers supplied by the account, relying instead on Wife's statements as to her salary and the maximum possible contribution amounts in order to calculate a "conservative" estimate as to what portion of the account might be marital or non-marital.

Robert Carter was qualified as Husband's expert witness in forensic accounting and tracing analysis. Carter disputed the formula that Rollinger used to calculate the non-marital property in the rollover IRA. He acknowledged that Rollinger used conservative numbers that benefitted Husband, but stated that Rollinger's conclusion as to the value of the non-marital portion of the account was flawed inherently because he did not use Wife's actual contribution amounts in the calculation. Carter took issue also with Rollinger's use of the S&P 500 to calculate the growth rate. He questioned the fact that, although Wife acknowledged receiving a statement from the rollover IRA, dated 30 September 2004, she

did not provide that statement for review by the court or either party's expert. Carter admitted that it was likely that Wife had some pre-marital funds in the rollover IRA, but concluded nonetheless that the entirety of the account must be considered marital property because any non-marital portion was not traced specifically.

On 18 March 2025, the court filed a Judgment of Absolute Divorce, ordering Wife to pay Husband a monetary award of $700,000 within ninety days and denying Husband's request for alimony. In a separate order issued on the same date, the court ordered the sale of the marital home within sixty days, specifying that the net proceeds were to be split evenly between the parties. Husband lodged a timely appeal. Soon thereafter, Husband filed motions to stay enforcement with the circuit court and this Court, each of which were denied.

The circuit court held a separate hearing on attorneys' fees on 22 April 2025. Stephen Krohn was qualified as Wife's expert witness in family law, attorneys' fees, and billing practices. He testified that the fees charged by Wife's counsel and expert witness (Rollinger) were reasonable generally, while those charged by Husband's counsel and expert witness (Carter) appeared, at times, to be excessive and unnecessary. On the same date, the court denied Husband's request for attorneys' fees.[1] Husband filed an amended notice of appeal on 30 April 2025.

On 12 May 2025, Husband filed in the circuit court a second motion to stay enforcement of the judgment, which was denied the following day. In response to that

[1] Wife withdrew her request for attorneys' fees at the conclusion of the April 22 hearing.

denial, Husband filed a motion to recuse the trial judge, alleging that the denial of his motion to stay enforcement was predicated on the judge's reliance on extrajudicial facts, thus demonstrating the judge's bias against Husband. The court denied the motion to recuse on 23 May 2025. Husband filed a second amended notice of appeal.

Additional factual matter will be supplied as relevant to our analysis of Husband's questions.

STANDARD OF REVIEW

We review the rulings of a circuit court sitting without a jury "on both the law and the evidence[,]" giving "due regard to the opportunity of the trial court to judge the credibility of the witnesses." Md. Rule 8-131(c); *Friedman v. Hannan*, 412 Md. 328, 335 (2010). We review the court's factual findings for clear error. *MAS Assocs., LLC v. Korotki*, 465 Md. 457, 474-75 (2019). Finally, we review the court's legal conclusions under a non-deferential standard of review. *Nouri v. Dadgar*, 245 Md. App. 324, 343 (2020).

The recusal decision, the decision to grant a monetary award, and the amount of that award, are reviewed for abuse of discretion. *See Conner v. State*, 472 Md. 722, 738 (2021) (explaining that "the decision to recuse oneself ordinarily is discretionary and will not be overturned except for abuse" (quotation marks and citations omitted)); *Flanagan v. Flanagan*, 181 Md. App. 492, 521 (2008) (stating that "the ultimate decision regarding whether to grant a monetary award, and the amount of such an award, is subject to review for abuse of discretion"). We review the court's findings as to the determination of what does and does not constitute marital property under a clearly erroneous standard. *See Innerbichler v. Innerbichler*, 132 Md. App. 207, 229 (2000). Finally, decisions as to

alimony and attorneys' fees awards will not be disturbed "unless [the award] is arbitrary or clearly wrong." *Gravenstine v. Gravenstine*, 58 Md. App. 158, 182 (1984) (citing *Lopez v. Lopez*, 206 Md. 509, 520-21 (1955)); *see also Solomon v. Solomon*, 383 Md. 176, 196 (2004).

DISCUSSION

I. THE COURT DID NOT ERR IN DENYING HUSBAND'S MOTION TO RECUSE

Husband argues that the hearing judge abused her discretion in denying his motion to recuse. He contends that the judge did not maintain impartiality when she issued the order denying Husband's second motion to stay enforcement, basing the denial, seemingly, on a social media post by Husband that was not in evidence.

In his second motion to stay enforcement, filed on 12 May 2025, Husband asserted that it would be difficult for him to facilitate the sale of the marital home within sixty days of the judgment because he "had previously scheduled surgery on May 7, 2025, that could not be delayed and now has lifting and driving restrictions." The following day, the court denied the motion to stay enforcement because the court "learned that [Husband] had posted on social media an Estate Moving Sale being held on May 10, 2025[.]" Therefore, the judge found "disingenuous" Husband's asserted reasons for why he was unable to sell the marital home within the prescribed time. Husband filed the motion to recuse on May 15 in response to the court's adverse decision on this motion, which the court denied.

"[T]here is a strong presumption . . . that judges are impartial participants in the legal process, whose duty to preside when qualified is as strong as their duty to refrain from

presiding when not qualified." *Jefferson-El v. State*, 330 Md. 99, 107 (1993). When assessing a motion to recuse, courts must determine "'whether a reasonable member of the public knowing all the circumstances would be led to the conclusion that the judge's impartiality might reasonably be questioned.'" *Surratt v. Prince George's Cnty.*, 320 Md. 439, 465 (1990) (quoting *In re Turney*, 311 Md. 246, 253 (1987)).

Husband asserts that the hearing judge's reliance on the social media post that Husband placed in a public Facebook group "demonstrated bias and a lack of impartiality that may be evidence that her decisions were already tainted and will taint any future decisions she may need to make in this case." Husband contends also that the judge's issuance of the denial *sua sponte*, and without further argument or an evidentiary hearing, is further evidence of her bias.

The judge's consideration of the Facebook post in articulating her decision is, at best, unconventional. The record contains no explanation for how the judge came to discover the post. We do not condone the use of extrajudicial information in this way. We note, however, that Husband does not challenge on appeal the denial of his second motion to stay enforcement. Instead, he challenges the denial of his motion to recuse, arguing that the judge's decision on the motion to stay enforcement demonstrated bias. Although the judge's seeming reliance on a social media post is questionable, it alone does not demonstrate necessarily bias against Husband. He has not pointed to any additional evidence of how the judge was prejudiced against him in her rulings, including or preceding the denial of the second motion for stay. Husband failed to satisfy the "'heavy burden to

overcome the presumption of impartiality.'" *Karanikas v. Cartwright*, 209 Md. App. 571, 579 (2013) (quoting *Att'y Grievance Comm'n v. Blum*, 373 Md. 275, 297 (2003)).

We understand that Husband was disappointed in the outcome of his motion and, more broadly, the case at hand, but "[t]he fact that a court rules in favor of one party over the other does not automatically mean that the judge is biased or prejudiced against the losing party." *Hill v. Hill*, 79 Md. App. 708, 716 (1989) (citing *Tidler v. Tidler*, 50 Md. App. 1, 12 (1981)); *see also Koffley v. Koffley*, 160 Md. App. 633, 645 (2005) ("Rare are the cases in which a Family Division judge should grant a motion for recusal on the ground that, as a result of prior rulings in an ongoing domestic relations case, the judge has become 'prejudiced' against the party who has moved for the judge's recusal."). Accordingly, we hold that the court did not abuse its discretion in denying the motion to recuse.[2]

II. MONETARY AWARD

Husband asserts that the court calculated incorrectly the monetary award to him and that it is inequitably low. Specifically, he contends that the court erred when it: (1) determined that Wife's rollover IRA is partially marital property and that Wife's deferred compensation plan with UTMB is non-marital property, (2) miscalculated the parties' incomes by comparing Wife's net monthly income against Husband's gross monthly income, and (3) did not allow Husband to purchase from Wife her interest in the marital home, using funds to be received presumably by him from the division of marital property.

[2] None of the trial judge's conduct or rulings in the ongoing proceedings following rejection of the recusal motion are before us in this appeal.

Courts must utilize a three-step process when determining the division of marital property in divorce proceedings. *Abdullahi v. Zanini*, 241 Md. App. 372, 405 (2019); Md. Code Ann., Family Law Article ("Fam. Law") §§ 8-203–205. First, the court "shall determine which property is marital property[.]" Fam. Law § 8-203(a). Second, the court "shall determine the value of all marital property." Fam. Law § 8-204(a). The third step requires the court to "decide if the division of marital property according to title would be unfair. If so, [the court] may make a monetary award to rectify any inequity 'created by the way in which property acquired during marriage happened to be titled.'" *Flanagan*, 181 Md. App. at 519-20 (quoting *Doser v. Doser*, 106 Md. App. 329, 349 (1995)); Fam. Law § 8-205(a). "The 'function [of the monetary award] is to provide a means for the adjustment of inequities that may result from distribution of certain property in accordance with the dictates of title.'" *Alston v. Alston*, 331 Md. 496, 506 (1993) (quoting *Herget v. Herget*, 319 Md. 466, 471 (1990)).

Fam. Law § 8-205(b) requires a court to consider each of the following factors before making a monetary award:

> (1) the contributions, monetary and nonmonetary, of each party to the well-being of the family;
>
> (2) the value of all property interests of each party;
>
> (3) the economic circumstances of each party at the time the award is to be made;
>
> (4) the circumstances that contributed to the estrangement of the parties;
>
> (5) the duration of the marriage;
>
> (6) the age of each party;
>
> (7) the physical and mental condition of each party;

> (8) how and when specific marital property or interest in property described in subsection (a)(2) of this section, was acquired, including the effort expended by each party in accumulating the marital property or the interest in property described in subsection (a)(2) of this section, or both;
>
> (9) the contribution by either party of property described in § 8-201(e)(3) of this subtitle to the acquisition of real property held by the parties as tenants by the entirety;
>
> (10) any award of alimony and any award or other provision that the court has made with respect to family use personal property or the family home; and
>
> (11) any other factor that the court considers necessary or appropriate to consider in order to arrive at a fair and equitable monetary award or transfer of an interest in property described in subsection (a)(2) of this section, or both.

"Although the court is not required to recite each factor in making a monetary award, appellate courts must be able to discern from the record that these factors were weighed." *Hart v. Hart*, 169 Md. App. 151, 166-67 (2006). If the decision does not reflect that the court considered these statutory factors, any determination as to the monetary award will be vacated. *Quinn v. Quinn*, 83 Md. App. 460, 465 (1990).

a. DETERMINATION OF MARITAL PROPERTY

Husband asserts error in the trial court's application of step one of the three-step analysis required for the division of property. *See* Fam. Law § 8-203(a). Specifically, he alleges the court labeled erroneously portions of Wife's rollover IRA and the entirety of the unfunded deferred compensation plan offered by UTMB as non-marital property.

i. Wife's Rollover IRA

Husband contends that the court erred in finding that Wife's rollover IRA consisted of partially non-marital contributions. He acknowledges that the account contains funds from retirement accounts Wife contributed to prior to their marriage, but relies ultimately

on Carter's expert opinion that Wife's rollover IRA must be considered entirely marital property because any non-marital portions were not traced specifically. He directs our attention to *Wasyluszko v. Wasyluszko*, 250 Md. App. 263 (2021), for the proposition that "a non-marital portion of a retirement account [cannot] be proven without direct tracing."

In *Wasyluszko*, Mr. Wasyluszko challenged the court's determination that his retirement accounts were entirely marital. *Id.* at 269-79. In support of his contention, he provided the court with his personal calculations as to the pre-marital contributions and subsequent growth of those contributions, arguing that the contributions themselves and the growth of the accounts amount to non-marital property. *Id*. We agreed with his assertion that the pre-marital contributions were non-marital property, but disagreed that the growth income was also non-marital. *Id*. at 269-72. We did not credit Mr. Wasyluszko's calculations, finding instead that the growth of the non-marital contributions could not be traced directly. *Id*. *Wasyluszko* emphasized direct tracing and shied away from arbitrary calculations made by a lay party, but did so with an important caveat. As explained in a footnote, "we do not rule out the possibility that a similar theory could prevail if supported by a more sophisticated analysis and expert testimony[.]" *Id.* at 271 n.3.

In the record before us, Wife employed Rollinger, an expert in accounting, financial forensics, taxation, tracing, and valuation, who calculated the amount of the pre-marital contributions and their growth using conservative estimates that favored Husband. Although Rollinger admitted that he was not able to trace directly the actual amounts of the pre-marital contributions and the growth thereof, he used a substitute formula based on information supplied by the Wife and applied otherwise his knowledge and expertise. The

court was permitted to accept and weigh that against the testimony of Husband's expert witness, Carter. *See Qun Lin v. Cruz*, 247 Md. App. 606, 629 (2020) ("When weighing the credibility of witnesses and resolving conflicts in the evidence, 'the fact-finder has the discretion to decide which evidence to credit and which to reject.'" (quoting *Hollingsworth & Vose Co. v. Connor*, 136 Md. App. 91, 136 (2000)).

In *Wasyluszko*, we left ajar the door for the possibility of a "source of funds" formula, accompanied by expert testimony and analysis. The court did not err in accepting Rollinger's calculations instead of requiring strictly direct tracing.

Husband alleges further that the court erred when it did not order the parties to execute a Qualified Domestic Relations Order ("QDRO") to facilitate the division of the marital portion of Wife's rollover IRA. We disagree. Under the Employee Retirement Income Security Act of 1974 ("ERISA"), a QDRO need only be used when dividing contributions kept in an employer-sponsored retirement plan. *See also Eller v. Bolton*, 168 Md. App. 96, 106-11 (2006). The IRA at issue is a rollover account maintained privately by Wife and, as such, may be divided by the parties after the divorce without need of a QDRO. Accordingly, the court did not err in not requiring the parties to use a QDRO to divide the account.

ii. Wife's Deferred Compensation Plan With UTMB

Husband alleges that the court erred in not giving him an "if, as and when" interest in Wife's deferred compensation plan. Prior to the parties' separation, Wife accepted a job with her current employer, UTMB. The offer of employment included enrollment in a deferred compensation plan. Wife testified that, at the time of the hearing, there was no

value in the deferred compensation account and that she was not guaranteed to receive any money from the plan as it was to be distributed only at the discretion of the President of UTMB. Wife did not begin her employment with UTMB until June 2023, about two months after the parties' separation.

We discern no clear error in the court's finding that Husband is not entitled to an "if, as and when" interest in Wife's deferred compensation plan. The parties separated prior to the beginning of Wife's employment. Although Wife was offered the job before their separation and Husband expressed apparent excitement about that employment, any potential compensation Wife might receive through this plan would be achieved through actions taken entirely after the actual demise of the marriage. *See* Fam. Law § 8-201(e)(1) ("'Marital property' means the property, however titled, acquired by 1 or both parties *during* the marriage." (emphasis added)); *see also Alston*, 331 Md. at 507 ("Where one party, wholly through his or her own efforts, and without any direct or indirect contribution by the other, acquires a specific item of marital property after the parties have separated and after the marital family has, as a practical matter, ceased to exist, a monetary award representing an equal division of that particular property would not ordinarily be consonant with the history and purpose of the statute.").

At the time the divorce was granted, there existed no evidence that the UTMB President had acted or, if so, what the details of such action were. As such, the court did not err in categorizing Wife's deferred compensation plan as non-marital property.

b. VALUE OF MARITAL PROPERTY AND MONETARY AWARD

Husband asserts error in the court's application of steps two and three in the division of property analysis, arguing that it calculated incorrectly the parties' incomes and considered inequitably Wife's net monthly income against his gross monthly income when determining the amount of the monetary award. *See* Fam. Law §§ 8-204(a), 8-205.

The circuit court found Wife's monthly income to be $22,973.97. A review of Wife's most recent financial statement from 10 February 2025, indicates that this number reflects her net monthly income, while her gross monthly income is $43,750.

Husband's financial picture proved to be more difficult for the trial judge to discern. He submitted three separate financial statements across the proceedings below. His initial financial statement of 15 September 2023 showed a gross monthly income of $8,167.92. In an amended financial statement on 9 September 2024, Husband listed his gross monthly income as $7,781.09. In his most recent financial statement, submitted on 10 February 2025, he claimed a gross monthly income of $12,028.39. Husband listed, however, his monthly income as $14,000 and his annual income as $180,000, as sworn on several loan applications from 2023 and 2024.

The court appeared to consider the number listed on Husband's loan applications, $14,000, as his gross monthly income, and the income listed in his 10 February 2025, financial statement, $12,028.39, as his net monthly income. Although the court referred specifically to net and gross incomes for Husband, it made no similar delineation for Wife's income, stating only that her monthly income was $22,973.97. Thus, when considering factor one of Fam. Law § 8-205(b) for the purposes of calculating the value of the monetary

award, the court used Wife's monthly income of $22,973.97 and Husband's monthly income of $14,000.

Husband takes issue with the court's attribution of a $14,000 gross monthly income to him based on the information provided on the loan applications, instead of the figure provided in his financial statement. The evidence of record, however, indicates that Husband was not forthcoming about his income and, at first, offered the court a monthly income that was significantly lower than the number he provided on the loan applications. He alleged that his one lobbying client increased its monthly payment by $2,000 in 2023. This does not explain why his monthly income decreased on his 2024 financial statement. Nor does it account entirely for the fluctuation in monthly income between his 2023 and 2025 financial statements. The court had reason to doubt Husband's disclosures as to his actual income and, as such, did not err in relying on the number in the loan applications when calculating the monetary award. The court conducted a thorough analysis and clearly considered each of the eleven factors listed in Fam. Law § 8-205(b). Its parsing of the parties' respective income was justified by its lack of conviction in some of the conflicting evidence before it regarding Husband's finances.

We recognize that the court compared the $14,000 it attributed to Husband as his gross monthly income to the $22,973.97 net monthly income reported by Wife when calculating the monetary award. Despite this seeming facial comparison of apples to oranges, we will not disturb the court's calculation. Husband's failure to provide initially the court with an accurate reporting of his income required the court to rely on which portion of Husband's shifting evidence it found credible. The court used a gross monthly

income of $14,000 for Husband, which it determined was likely a lower amount than Husband was receiving actually each month. Because of the incomplete picture Husband painted of his financial situation, the court did not err in comparing his gross monthly income against Wife's reported net monthly income. The court did the best it could with the conflicting evidence it was given.

To the extent the court could be found to have erred in its comparison of the income amounts, the error was harmless. The difference between the $14,000 gross monthly income and the $12,028.39 net income amount attributed to Husband by the court is minor relatively in the scheme of things. Had the court compared Wife's $22,973.97 net monthly income to Husband's $12,028.39, it would have reached likely the same or similar outcomes.

Husband claims further that the court credited incorrectly Wife with the payment of the mortgage and updates to the home. He argues that the court "inferred" that the mortgage payments and home improvements were not paid using joint marital funds. We can find no such inference being drawn in the court's decision. The court noted only that Wife "has maintained the mortgage payments and undertook some renovations and updates." At no point does the court indicate that the entirety of the mortgage and all updates were paid for solely by Wife. The court does specify, however, that Wife "has solely paid the mortgage" since the parties' separation, a finding that is supported by the evidence.

Finally, we discern no clear error in the court's determination that Wife's work travel benefited considerably the relationship as it allowed her to be the primary financial earner for a majority of the marriage. Although Husband argues Wife chose not to find

employment closer to their shared home and that this impacted the health of their relationship, it cannot be denied that the income Wife received as a result of her out-of-state employment contributed greatly to the stability and, indeed, comfortability of their financial situation.

Based on the foregoing, the court did not err in determining the value of the marital property or its calculation of the monetary award. We affirm the monetary award of $700,000 to Husband.

c. DISTRIBUTION OF MARITAL PROPERTY

Husband contends that the court erred when it did not grant him the opportunity to buy out Wife's interest in the marital home, in the face of his expressed desire to remain in the home after the divorce and offering to use the portion of funds acquired through the division of marital property to buy out her interest.

Under Fam. Law § 8-205(a)(2)(iii), the court may facilitate the transfer of ownership interest in the principal residence used by the parties by:

> 1. ordering the transfer of ownership of the real property or any interest of one of the parties in the real property to the other party if the party to whom the real property is transferred obtains the release of the other party from any lien against the real property;
>
> 2. authorizing one party to purchase the interest of the other party in the real property, in accordance with the terms and conditions ordered by the court; or
>
> 3. both.

This does not require the transfer of the marital home to either party, even if one of the parties remonstrated his or her desire to keep the home and the financial ability to buy out the other party. It allows merely for the transfer or purchase of the property at the

court's discretion. Fam. Law § 8-202(b)(2), on the other hand, gives the court the authority to order the sale of the marital home.

Here, the court chose not to order the transfer or purchase of ownership interest in the property to or by either party, ordering instead the sale of the marital home. Husband cites no authority that compels the court to do otherwise. As Fam. Law § 8-205(a)(2)(iii) is discretionary and Fam. Law § 8-202(b)(2) vests the court with the authority to order the sale of the home, the court did not abuse its discretion in its choice.

In any event, this argument was conceded by Husband at oral argument to be moot because the house has been sold at a court-ordered auction on 2 January 2026.

III. ALIMONY

Husband contends that the court erred clearly when it did not award him alimony, indefinite or otherwise. Fam. Law § 11-106(b) states that a court must consider "all the factors necessary for a fair and equitable award," including the following twelve factors:

> (1) the ability of the party seeking alimony to be wholly or partly self-supporting;
> (2) the time necessary for the party seeking alimony to gain sufficient education or training to enable that party to find suitable employment;
> (3) the standard of living that the parties established during their marriage;
> (4) the duration of the marriage;
> (5) the contributions, monetary and nonmonetary, of each party to the well-being of the family;
> (6) the circumstances that contributed to the estrangement of the parties;
> (7) the age of each party;
> (8) the physical and mental condition of each party;
> (9) the ability of the party from whom alimony is sought to meet that party's needs while meeting the needs of the party seeking alimony;
> (10) any agreement between the parties;
> (11) the financial needs and financial resources of each party, including:
> (i) all income and assets, including property that does not produce income;

(ii) any award made under §§ 8-205 and 8-208 of this article;
(iii) the nature and amount of the financial obligations of each party; and
(iv) the right of each party to receive retirement benefits; and
(12) whether the award would cause a spouse who is a resident of a related institution as defined in § 19-301 of the Health-General Article and from whom alimony is sought to become eligible for medical assistance earlier than would otherwise occur.

The court "is not required to employ a formal checklist, mention specifically each factor, or announce each and every reason for its ultimate decision." *Crabill v. Crabill*, 119 Md. App. 249, 261 (1998). Its conclusion must exhibit, however, "consideration of all necessary factors." *Simonds v. Simonds*, 165 Md. App. 591, 605 (2005) (quotation marks and citation omitted).

"After considering the twelve factors, the trial court must then decide whether to grant rehabilitative or indefinite alimony." *Id*. We note that, should alimony be awarded, "the guiding principle [is] that [it] be temporary and rehabilitative[.]" *Karmand v. Karmand*, 145 Md. App. 317, 328 (2002). Although the statute prefers temporary alimony, Fam. Law § 11-106(c) provides:

(c) The court may award alimony for an indefinite period, if the court finds that:
(1) due to age, illness, infirmity, or disability, the party seeking alimony cannot reasonably be expected to make substantial progress toward becoming self-supporting; or
(2) even after the party seeking alimony will have made as much progress toward becoming self-supporting as can reasonably be expected, the respective standards of living of the parties will be unconscionably disparate.

Husband maintains that the court's alimony determination is unfounded because of the mathematical misattribution and comparison of the parties' incomes. As we have determined already, the court's calculation and comparison of the parties' incomes was not

infected with clear error, and the court was permitted to use these numbers when reaching its decision as to alimony.

Husband contends further that the court did not consider adequately whether he was entitled to indefinite alimony based on the parties' "unconscionably disparate" incomes. The court contemplated explicitly, however, each of the factors necessary when assessing an award of alimony under Fam. Law § 11-106(b), and found permissibly that, after the sale of the marital home, the distribution of assets, and the monetary award, Husband would be able to support himself without financial assistance from Wife. Indeed, the court's analysis of the alimony award is more thorough than the law requires. *See Crabill*, 119 Md. App. at 261.

After reaching this conclusion, the court was not then required to turn to an assessment of Husband's eligibility to receive indefinite alimony. Fam. Law § 11-106(c) states simply that a "court *may* award alimony for an indefinite period" if a certain set of circumstances are met; it does not compel the award of this extraordinary relief. As the court concluded that alimony was not warranted in this case when applying the twelve-factor test outlined in Fam. Law § 11-106(b), it was not required then to exercise its discretion to consider indefinite alimony. Accordingly, we affirm the court's decision not to award alimony, indefinite or otherwise, to Husband.

IV. ATTORNEYS' FEES

Husband alleges finally error in the court's decision not to grant his request for attorneys' fees. Fam. Law § 11-110 states, in pertinent part:

> (b) At any point in a proceeding under this title, the court may order either party to pay to the other party an amount for the reasonable and necessary expense of prosecuting or defending the proceeding.
> (c) Before ordering the payment, the court shall consider:
> (1) the financial resources and financial needs of both parties; and
> (2) whether there was substantial justification for prosecuting or defending the proceeding.

Husband's sole argument is that the court's assessment of his request for attorneys' fees is flawed fatally because it was based on an incorrect comparison of the parties' incomes. As we have determined earlier, the court did not err in this regard. Thus, we need not iterate further on that subject here. As we stated in *Doser v. Doser*, "[t]he factors underlying awards of alimony, monetary award, and counsel fees are so interrelated that, when a trial court considers a claim for any one of them, it must weigh the award of any other." *Doser*, 106 Md. App. at 335 n.1. It should come as no surprise, then, that, for the reasons discussed above, we find no reversible error in the court's determination as to attorneys' fees.

JUDGMENT OF THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.