

Circuit Court for Montgomery County
Case No.: C-15-FM-23-003767

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 917

September Term, 2025

ELENA MAXIMOVA

v.

SERGEJS HRIPUNOV

Graeff,
Berger,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 7, 2026

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

Appellant Elena Maximova appeals from a judgment of absolute divorce entered by the Circuit Court for Montgomery County, ending her marriage to appellee Sergejs Hripunovs. She presents four issues for our review, which we reduce to three¹ and rephrase:

1. Whether the trial court erred in denying Maximova’s Motion for a New Trial;
2. Whether the trial court abused its discretion in excluding some of Maximova’s witnesses and evidence as a discovery sanction;
3. Whether the trial court erred in classifying two properties as marital and ordering their sale.

For the reasons below, we shall affirm.

I. New Trial

The day after the divorce hearing, Maximova moved for a new trial, arguing that her marriage to Hripunovs “never even existed” for two reasons: (1) Hripunovs married her only for immigration purposes; and (2) the marriage officiant lacked legal authority to perform the ceremony. The trial court denied the motion.

We review this decision for an abuse of discretion. *Mahler v. Johns Hopkins Hosp. Inc.*, 170 Md. App. 293, 321 (2006). “An abuse of discretion occurs where no reasonable person would take the view adopted by the [trial] court, when the court acts without

¹ Maximova’s fourth issue contends that the trial “court abuse[d] its discretion by ignoring evidence of [Hripunovs’s] theft, forgery, and non-contribution, thereby entering an unjust property distribution[.]” Yet, in her brief, she neither identifies any particular evidence nor explains how it would have affected the trial court’s judgment. Put simply, “it is not incumbent upon this Court, merely because a point is mentioned as being objectionable at some point in a party’s brief, to scan the entire record and ascertain if there be any ground, or grounds, to sustain the objectionable feature suggested.” *Van Meter v. State*, 30 Md. App. 406, 408 (1976) (cleaned up).

reference to any guiding rules or principles, or when the court’s ruling is clearly against the logic and effect of facts and inferences before the court.” *State v. Alexander*, 467 Md. 600, 620 (2020) (cleaned up).

Maximova did not attach to her motion any evidence supporting her claims. To be sure, early in the proceedings, Maximova filed a motion making similar arguments, but even then, she attached only a single photograph from the wedding and a copy of the parties’ Application for Marriage License. Despite the claims in her motion, Maximova repeatedly attested to the parties’ marriage—both orally and in writing—when she was under oath, and the parties lived together as a married couple for years, including owning at least two real properties as tenants by the entirety. Under these circumstances, we cannot say that “no reasonable person would take the view adopted by the [trial] court[.]” *Alexander*, 467 Md. at 620 (cleaned up). Accordingly, the court did not abuse its discretion in denying Maximova a new trial.

II. Discovery Sanctions

Hripunovs propounded discovery requests upon Maximova in June 2023. When she failed to answer, Hripunovs moved to compel Maximova’s discovery responses. The court granted it on November 21 and gave Maximova 15 days to provide her discovery responses. Maximova ultimately produced some discovery in that time, but her responses remained incomplete. Hripunovs later moved *in limine* to exclude any evidence or witnesses that Maximova did not disclose in discovery. The court orally granted the motion at trial and barred Maximova from presenting any evidence or calling any witnesses not produced during the discovery process.

Trial courts “are vested with great discretion in applying sanctions for discovery failures.” *Rodriguez v. Clarke*, 400 Md. 39, 56 (2007). *See also* Md. Rule 2-433. Accordingly, we review discovery orders for an abuse of discretion. *Rodriguez*, 400 Md. at 57.

On appeal, Maximova first argues that the trial court should have excused her discovery failure because she is a *pro se* litigant. In Maryland, however, “the procedural, evidentiary, and appellate rules apply alike to parties and their attorneys. No different standards apply when parties appear *pro se*.” *Tretick v. Layman*, 95 Md. App. 62, 86 (1993). Although we sympathize with *pro se* litigants, “we also need to adhere to procedural rules in order to maintain consistency in the judicial system.” *Pickett v. Noba, Inc.*, 114 Md. App. 552, 554–55 (1997).

Trial courts consider the following factors before imposing discovery sanctions under Maryland Rule 2-433:

- (1) whether the disclosure violation was technical or substantial;
- (2) the timing of the ultimate disclosure;
- (3) the reason, if any, for the violation;
- (4) the degree of prejudice to the parties respectively offering and opposing the evidence;
- and (5) whether any resulting prejudice might be cured by a postponement and, if so, the overall desirability of a continuance.

Hossainkhail v. Gebrehiwot, 143 Md. App. 716, 725–26 (2002).

Here, Maximova was ordered to produce discovery and did not do so completely. The disclosure violation was substantial and, indeed, there was no ultimate, complete disclosure. *See Valentine-Bowers v. Retina Grp. of Wash., P.C.*, 217 Md. App. 366, 380–82 (2014) (noting that disregard of “basic discovery” requests and deadlines “constitutes a

‘substantial violation’”). Although Maximova’s discovery failure may not have been willful, the trial court concluded that allowing her to present undisclosed evidence would unfairly prejudice Hripunovs. On this record, we cannot say that “no reasonable person would take the view adopted by the [trial] court[.]” *Alexander*, 467 Md. at 620 (cleaned up). Consequently, the court did not abuse its discretion in barring Maximova from presenting undisclosed evidence as a sanction for her discovery failure.

III. Marital Property

As part of the judgment, the trial court determined that two real properties were marital property. On appeal, Maximova contends that the properties were not marital because she funded both properties using pre-marital funds. But even if true, “[m]arital property’ includes any interest in real property held by the parties as tenants by the entirety unless the real property is excluded by valid agreement.” Md. Code Ann., Family Law § 8-201(e)(2). The properties here were purchased during the marriage and held by the parties as tenants by the entirety. Nothing in the record suggests they were excluded by valid agreement. Thus, the trial court did not err in concluding the properties were marital.

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

The correction notice(s) for this opinion(s) can be found here:

<https://mdcourts.gov/sites/default/files/import/appellate/correctionnotices/cosa/unreported/0917s25cn.pdf>