Circuit Court for Montgomery County
Case No. 151449FL

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 978

September Term, 2025

JERMAINE C. TYLER

v.

NATASHA CHARISSE HEWLETT

Leahy,
Ripken,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Leahy, J.

Filed: March 4, 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 persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

This consolidated appeal is the latest chapter in a dispute over child custody and child support between the appellant, Jermaine C. Tyler ("Father"), and the appellee, Natasha Charisse Hewlett ("Mother"), the biological parents of a child born April 2012 (the "Child").

After their divorce in 2019, sustained litigation between the parties spawned numerous court orders by the Circuit Court for Montgomery County and two prior appellate opinions by this Court. In August 2022, the circuit court granted Mother's petition to modify custody, awarding her primary physical custody and sole legal custody, which this Court affirmed in *Tyler v. Hewlett*, No. 1486, Sept. Term 2022, 2023 WL 3943836 (Md. App. Ct. June 12, 2023) *("Tyler I")*. In light of this custody modification, the circuit court then entered a new child support order, but in *Tyler v. Hewlett*, No. 2233, Sept. Term 2022, 2024 WL 3886222 (Md. App. Ct. August 21, 2024) ("*Tyler II*"), we vacated that order and remanded the case for a recalculation of Father's monthly child support and arrearages, instructing the court "to clarify and correct the support calculation to accurately account for each parent's health insurance expenses."

In the instant appeal, Father, *pro se*, challenges a series of orders following our remand in *Tyler II*. He presents sixteen assignments of error for our review, which we have consolidated, rephrased, and reordered as follows:[1]

I. Did the circuit court err or abuse its discretion in awarding Mother primary residential custody and tie-breaking authority?

[1] Mother did not file a brief.

II. Did the circuit court err or abuse its discretion calculating Father's monthly child support and arrearage amounts?

III. Did the circuit court err or abuse its discretion in denying Father's post-judgment motions and contempt petition?

For the reasons stated below, we dismiss the appeal with respect to the denial of contempt petition and otherwise affirm the judgment of circuit court.

BACKGROUND

THE DIVORCE AND *TYLER I*

The parties married in January 2011 and then divorced on June 24, 2019, when Child was approximately seven years old. The court subsequently entered a consent custody order pursuant to which the parties shared physical custody of the Child "on a week-on-week-off basis[,]" and were granted joint legal custody of Child with tie-breaking authority to Mother. *Tyler I*, 2023 WL 3943836, at *1.

On January 11, 2022, Mother filed a petition to modify custody seeking sole physical and legal custody of the Child. Simultaneously, Mother petitioned the court to hold Father in contempt for failure to provide child support. Following an evidentiary hearing on Mother's petitions—during which both parties testified and moved over 50 exhibits into evidence—the circuit court entered a memorandum opinion and an order on August 3, 2022. The court found that there was a material change in circumstances and determined that it would be in the Child's best interests to award Mother sole legal and primary physical custody. Father was granted a visitation schedule that included Wednesday afternoons, weekends, and summer as outlined in the order. In support of this

modification of Child's custody, the circuit court explained in its memorandum opinion that Father failed to provide Child with necessary medical treatment and also failed to communicate with Mother:

> [T]he ongoing failure to supply this child with necessary medical care [is] a material change in circumstances. [Father] has refused to execute the necessary consent form for the child's therapist to speak to a mental health professional that the [Father] took the child to without consent from [Mother]. [Father] refuses to sign the form, notwithstanding he continues to insist the child should see a therapist—a different therapist, that the child has experienced trauma at school and has been diagnosed with anxiety as a result, that the child has expressed suicidal ideations due to the trauma alleged, and that these issues are emergent.
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> [Father] has refused to consistently communicate with [Mother] about the [C]hild and has been nonresponsive to her when she has sought to share or receive information or come to agreement about matters impacting the child's welfare.
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> [Father] gave no meaningful response to [Mother's] request to spend time with the child on his birthday in April. [Mother] asked early on, and [Father] kept putting her off until week before the child's birthday, and then he claimed he had plans. The court does not find this claim credible and believes that [Father] deliberately did not respond. [Father] claims he offered to spend the birthday together, which he had to know [Mother] would reject given the history of these parties, including the domestic violence filings against [Mother] by [Father] that were denied at the final stage. It seems to the court to be tactic, to provoke [Mother] and to give false impression of cooperativeness. It is not credible.

See id. at *3-4. The court also found that Father had failed to ensure that Child attended school:

> On one occasion, [Father] waited for [Mother] to drop the child off at school, and then immediately picked him up and removed him from school without word to [Mother]. [Mother] did not know how to reach the child and she contacted the school, police and child welfare trying to find out what happened to the parties' son. There was no reasonable cause for the child to

> be out of school, and certainly no cause to take the child surreptitiously as [Father] did. After taking the child out of school, [Father] wrote the school asking if the child was absent and what the cause was-which suggests he is very troubled, very manipulative, or both.

Id. at *4. Finally, the court held Father in contempt for his willful refusal to pay child support and setting a purge amount of $713.00 to account for his accrued arrears. *Id.* The court also entered judgments against Father for his failure to pay $4,209.22 in extraordinary medical expenses and $177.50 for extracurricular activities. *Id.*

On appeal, this Court affirmed the modification of custody, concluding that sufficient evidence supported the circuit court's findings regarding Father's failure to provide the Child with necessary medical treatment, his refusal to communicate with Mother, and his inability to ensure the Child's consistent school attendance. *Id.* at *3-5. However, we vacated the $4,209.22 judgment against Father for extraordinary medical expenses, as the award improperly included $481.22 in pre-divorce dental costs that were barred by the doctrine of *res judicata*, and remanded the case for the entry of a correct judgment in the amount of $3,728. *Id.* at *8-9.

TYLER II

While Father's appeal in *Tyler I* was pending, the circuit court conducted a child support hearing on October 7, 2022, in light of the new custody schedule. *See Tyler II*, 2024 WL 3886222, at *2. The evidence showed Mother's monthly income was $13,799, and Father's monthly income was $10,089, although Father testified that he had been placed on leave without pay. Mother also presented a financial statement dated October 4, 2022, which specifically listed her own health insurance costs at $297.58 and the Child's

portion at $127.28, for a total monthly expense of $424.86. *Id.* at *3. When the court asked how she calculated the health insurance costs attributable to the Child, Mother stated that she estimated "30 percent of her $504 monthly health insurance premium" as attributable to coverage for the Child, based on the cost of adding him to her individual plan. *Id.* at *4. Father also presented a financial statement at the hearing, listing the amount of health insurance expense attributable to his two children as $212, which is half of his total monthly health insurance expense of $424. *Id.* at *3.

On November 21, 2022, the court entered a modified child support order, setting Father's child support obligation at $554 per month, establishing child support arrears of $1,608.39 through August 3, 2022, and requiring Father to pay $481.22 for dental services rendered to the Child in March and May of 2019—the same expense that we said in *Tyler I* was barred by the doctrine of *res judicata*.[2] *Id.* at *2. The court attached a child support guidelines worksheet to its order.

In the Father's subsequent appeal from that order, we affirmed the decision to modify support but vacated the judgment. In addition to the erroneous inclusion of the pre-divorce dental expenses, we noted that the record lacked any evidence to support the court's finding of $242 for Mother's health insurance costs. We explained:

> Under FL § 12-204(h)(1), "[a]ny actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible shall be added to the basic child support obligation and shall be divided by the parents in proportion to their adjusted actual incomes." **Here, the court stated in its bench ruling that Mother's monthly health care**

[2] Our unreported opinion in *Tyler I* was not yet filed at the time of the child support modification.

> **expense for the Child was $242, then used that figure to calculate Father's child support obligation in its Child Support Worksheet. The court did not include any health insurance expense for Father in its calculation.**
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> Father disputes this "determination of the cost and allocation of health insurance[,]" arguing that the court used figures that are "not based upon any amount discernable in the record." **In support, Father points out that the $242 "shown on the Court's October 7 Guidelines worksheet attributed" to Mother does not match "the amount of the child's share of health insurance on [Mother's] financial statement page 3[,]" which is $212.**
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> **We cannot discern from the record before us how the court reached the $242 figure that it used to calculate Mother's health insurance expense factored into its modified award of child support. That number does not correspond to either Mother's financial statement, which listed her health insurance expense for the Child as $127.28, or to her testimony at the October 7 hearing, when she estimated her health insurance expense to be 30% of the $504 monthly health insurance premium shown on her pay records, which would amount to $151.20.**
>
> Given that Mother did not present any evidence of health insurance expenses other than her financial statement and testimony, the record does not support the circuit court's determination that her monthly expense is $242.

Tyler II, 2024 WL 3886222, at *6 (emphasis added). We also observed that the court failed to explain why the new child support calculation excluded Father's claimed health care expense of $212. *Id.* Accordingly, on August 21, 2024, we vacated the child support order and remanded the case "for further proceedings to *clarify and correct the support calculation to accurately account for each parent's health insurance expenses*." *Id.* (emphasis added).

FACTS RELEVANT TO THE INSTANT APPEAL

Parties were Awarded Joint Legal Custody

While the appeal in *Tyler II* was pending Father petitioned once again for modification of child custody and support. In January 2024, following another multi-day hearing, the court denied both petitions. As for child support, the court found that Mother's income did not significantly change, and therefore there was no "material change in the financial circumstances of the parties at th[e] time" Regarding custody, the court recognized that there were "some changes" following the August 3, 2022 custody order, but concluded that "[w]hat is complained of here is just the latest in a series of events between the parties, which affects the parents and not the child." Instead of modifying custody, the court clarified that Father is "entitled to access to all medical, dental, healthcare, and educational records concerning the [C]hild from the various providers or educational institutions" and that Mother is responsible for putting "all appointments, [ ] activities, and school events" on the OurFamilyWizard app.

Father did not appeal these rulings. Instead, less than a month later, he filed another petition for custody modification, followed by a series of emergency, *ex parte* motions and contempt petitions. In October 2024, a family magistrate recommended denying Father's pending motions and petitions, but the magistrate found that "a material change in circumstances ha[d] occurred since the [January 2024 ruling] . . . in that the communication between the parties ha[d] continued to deteriorate" and recommended modifying the January 2024 custody order in terms of their communication. After Father noted

exceptions to the magistrate's findings and recommendations, the circuit court sustained the exceptions in part and denied them in part, entering an order on February 7, 2025, which awarded the parties joint legal custody, with Mother having tie-breaking authority.[3]

On March 3, 2025, Father filed yet another petition to modify custody and visitation. In the petition, Father alleged: (1) that the Child was "suspended from school due to vandalism" in February; (2) that Mother failed to provide the Child with prescribed medication; (3) that the Child was not receiving necessary therapy; and (4) that Mother "committed [f]raudulent activities" by "knowingly and intentionally lying about her income" and "providing false and counterfeit/tampered federal paystubs and banking records" during prior proceedings. Later that month, on March 31, 2025, Father filed a petition for contempt, alleging that Mother failed to answer his discovery requests and provide contact information for an individual whom he identified as the Child's "alleged daycare provider and/or tutor[.]" Mother also filed a contempt petition, alleging, among other things, that Father had failed to timely drop off the Child for custodial exchanges.

Mother Expressed Her Intent to Relocate

In December 2024—while Father's exceptions to the magistrate's findings and recommendations were pending—Mother moved for modification of Father's access schedule, citing her plan "to relocate to Houston, TX around the end of June 2025[.]" The court subsequently set a relocation hearing for late June. In early June, however, she filed

[3] Although there is no transcript from the hearing preceding the entry of this order, the hearing sheet indicates that the court decided to set another modification hearing on June 30, 2025.

an "amendment to plaintiff's motion to modify custody," stating that her husband, Raymond Mann, had "received formal verbal notification from his agency leadership" that he had been reassigned to Dallas, Texas. On June 18, the court, at Father's request, issued a subpoena against Mann for "[a]ll records including written communication and documentation from [his] employer regarding his transfer and relocation to Houston, Texas[,] and Dallas, Texas from November 2024 to June 2025." Days later, Mother refiled her amendment, along with a redacted copy of a letter from the Department of Homeland Security ("DHS"), which states, in relevant part: "[t]he purpose of this memorandum is to provide notice that Mr. Raymond Mann is transferring to the Dallas, Texas Area of Responsibility" and that "[h]is physical work location will be . . . Irving, TX 75063[.]"

The Relocation Hearing

The parties, both *pro se*, appeared for the relocation hearing before the circuit court on June 30 and July 1, 2025. The court considered the parties' cross motions to modify custody as well as their respective petitions for contempt.

At the onset of the hearing on June 30, Father asked for a postponement, stating that it would allow him to subpoena DHS "to verify . . . the necessity for this move[,]" but the court declined and proceeded with the hearing. During the hearing, Mother introduced several OurFamilyWizard messages, alleging Father's failure to share critical information about the Child and to cooperate under the joint legal custody arrangement. Mother testified that although she had enrolled the Child in her medical insurance plan and provided Father with the relevant information, Father refused to reciprocate by providing

details concerning the Child's healthcare and therapy. For example, according to Mother, Father claimed that the Child was no longer diagnosed with ADHD but did not produce the alleged new evaluation to her or the school. Mother also testified about Father's communication issues with the Child's care providers, citing a virtual school meeting that was terminated after Father disclosed that he had recorded the session without the participants' consent.

Regarding the Child's mental health care, Mother acknowledged that the Child had not been enrolled in therapy since February 2025, but she explained that finding a suitable provider had been difficult and that, in light of her imminent relocation to Texas, she believed the Child would be unable to maintain the necessary consistency with a local Maryland provider. Mother also testified that she had identified several therapists in Dallas-Fort Worth area and had sent Father an OurFamilyWizard message regarding her search, though she acknowledged that she did not provide him with a specific list of those providers. Additionally, while Mother admitted that the Child had recently experienced the tragic death of a close friend, she maintained that he had not exhibited behaviors warranting crisis intervention. Mother further testified that she has a bigger "support system" in Dallas area, as her longtime friend and cousins live there, and the Child had been excited about "being able to play football in Dallas[.]"

On cross-examination, Father presented Mother's Leave and Earnings Statements ("LES") and bank records, highlighting their contradictions with her prior representations to the court. Specifically, although Mother had previously reported an annual salary of

$147,753 in 2023, records from her employer reflected a salary of $167,053 for the same pay period. Father also pointed to a federal salary deposit of $3,653.41 in Mother's certified banking statement, which matched her LES but was significantly higher than the amount of $2,930 shown on the paystubs Mother had previously submitted to the court. When asked to explain why her own bank statements and LES did not match her court exhibits, Mother replied, "I don't know." Nonetheless, Mother noted that her complex financial situation, which includes failed side businesses, might have contributed to the discrepancies. She also denied having used "Adobe Professional software" to edit documents or exhibits, stating that she only used a "free version[,]" which lacked such editing capacity.

During his own testimony, Father continued to emphasize that Mother had misrepresented her income by roughly $19,000 in her financial disclosures and documents, claiming that this alleged misrepresentation had negatively impacted his ability to provide for the Child's needs. Father also asserted that the existing custody arrangement was no longer tenable due to Mother's refusal to share basic information, which, according to Father, had prevented him from learning about the Child's grades or behaviors at school. For example, following Child's disciplinary incident at school in February, Father requested information regarding the Child's "alleged daycare provider and/or tutor," but Mother did not respond.

Father did not present any paystubs at the hearing and denied knowing his specific income. Instead, he testified that he works as a federal government employee at the GS-

12 level and makes "over six figures," after being terminated from his prior GS-14 position. He stated that the Merit Systems Protection Board ruled his termination as unlawful, resulting in a settlement that cleared his record and enabled him to secure his current federal position. Father admitted to having not paid the money judgment previously entered against him,[4] but denied that he had failed to pay child support, asserting that his child support obligations had been garnished from his wages. Additionally, while Father acknowledged taking the Child to multiple cities across the country, he maintained that he had notified Mother via OurFamilyWizard. Father also denied any intention of moving with the Child to Florida, noting that his current employment would not permit such relocation.

Father testified that he resides in Burtonsville and plans to move to Rockville with his romantic partner, identified as Jessica Roman. Father stated that he and Roman have two children, ages two and four, both of whom have developed close relationships with the Child. Father also explained his own "active role[s]" in the Child's life, testifying that he carried the Child's health insurance, attended school meetings, and provided for the Child's food and clothing. He maintained that it is in the Child's best interests to stay near his family members in Maryland and to preserve these bonds. Father further argued that staying within the Montgomery County Public School system would allow the Child to remain "around his friends [and] his social network." On the other hand, according to

[4] Although the hearing transcript shows that Father acknowledged having not paid a judgment in the amount of $3,872, this appears to be in reference to the $3,728 judgment entered in *Tyler I*.

Father, Mother's move to Texas would "severely disrupt" his bond with the Child and the relationships the Child has established in Maryland.

Raymond Mann, Mother's husband, verified his job transfer letter from DHS and confirmed the start date of August 1, 2025. He expressed that his assignment to Texas would give his family a "better opportunity[,]" including a temporary promotion to the GS-13 level. When Father asked if he volunteered for the transfer, Mann clarified that the position "came open" and he accepted the offer as a career advancement opportunity. After Mann's testimony, Father renewed his request for "postponement . . . to have the documents" subpoenaed from DHS to verify "what he testified to regarding the move[,]" but the court again denied the request.

The July 9 Oral Ruling, July 16 Order, and First Notice of Appeal

On July 9, 2025, the circuit court announced its ruling on the record. After determining that it was in the Child's best interests to relocate with Mother, the court denied Father's request for sole legal and primary physical custody. The court maintained the parties' joint legal custody status, with Mother having primary physical custody and tie-breaking authority. In light of the relocation, the court modified Father's access schedule and his child support obligations going forward. The court also denied both parties' contempt petitions, finding that the allegations raised therein were rendered moot or were unlikely to occur in the future due to Mother's relocation.

Child Custody

The court began its oral ruling by conducting a custody assessment, examining relevant "best interests" factors articulated in *Montgomery County Dep't of Social Services v. Sanders*, 38 Md. App. 406 (1977), and *Taylor v. Taylor*, 306 Md. 290 (1986).[5] In relevant part, the court found that the Child was physically healthy overall but had experienced mental health issues that required therapy. The court accepted Mother's explanation for the Child's lapse in therapy, namely that she did not wish to start him with a new provider in Maryland only to have him change therapists again shortly after relocating to Texas. The court also observed that the Child was recently disciplined at school and experienced the death of a close friend, but concluded that despite these challenges, the Child remained "doing generally well and adjusting generally well."

As for the fitness and character of the parties, the court noted that "not much has changed" since the parties' divorce, noting that both parties maintained "very strong and good relationship[s]" with the Child. Regarding household dynamics, the court observed that the Child had developed positive relationships with the parties' respective partners and with Father's other children—whom the court referred to as "step-siblings." The court also

[5]Although the court did not expressly mention *Sanders* by case name, the oral ruling alluded to the factors therein. *See Ruiz v. Kinoshita*, 239 Md. App. 395, 430 (2018) (concluding that "the record and the court's oral ruling indicate that the court considered the relevant *Witt* factors—even if it did not refer to them explicitly."); *Durkee v. Durkee*, 144 Md. App. 161, 185 (2002) (addressing trial court's failure to make an express finding of voluntary impoverishment and noting that "a trial court does not have to follow a script. Indeed, the judge is 'presumed to know the law, and is presumed to have performed his duties properly.'").

found it "encouraging" that both parties acknowledged the Child's need for involvement from both parents and worked to facilitate meaningful access, despite their own interactions being acrimonious and limited. Similarly, the court recognized that both parties were sincere in their custody requests and "generally have the ability to discuss" the Child's needs, even when they do not reach agreement.

Turning to relocation, the court identified geographic proximity as the factor "driving the case," concluding that the distance between Maryland and Texas rendered joint physical custody "not a viable option." The court found both parties "financially stable" and expressed no concerns regarding the current living conditions in either parent's home. In response to Father's concerns about Mother's lack of housing in Texas, the court credited her testimony regarding her ongoing efforts to find a suitable home, based upon her financial stability and history of care. Furthermore, while acknowledging that relocation to Texas would disrupt the Child's social and school life, the court noted that "some level of disruption" would be inevitable regardless of the outcome. Rather, the court explained, the decreased frequency of Father's access could be mitigated by a "robust access schedule" during summers and holidays, which would provide a "more continuous time period . . . to allow for more in-depth interaction with [the Child]."

In addition to these factors, the court found that, after a detailed review of the exhibits, there was "at least probable cause to believe that [Mother] may have engaged in obstruction of justice" by introducing fabricated evidence. The court expressed its intent to "take appropriate action in providing notice to the State's Attorney's Office" regarding

the matter. The court further stated that Mother's conduct affected her credibility, particularly in financial matters, but clarified that her conduct did not "obstruct [the court's] duty to address the best interest of the [C]hild[.]"

Based on its findings, the circuit court concluded that the relocation to Texas constituted a material change in circumstances and that the Child's best interests would be served by remaining in the primary physical custody of Mother and joint legal custody of both parties. With respect to legal custody, the court explained, "I'm not modifying the arrangement from the February 6th, 2025, order. It is the [c]ourt's belief that, with the distance, it is more important than ever for [Father] to be involved in the important decisions involving [the Child]." Lastly, the court announced Father's access schedule, taking judicial notice of the 2024-25 and 2025-26 school calendars in Dallas-Fort Worth area.

Child Support

Next, the court calculated Father's child support obligation going forward in light of his modified access schedule.[6] Applying the Maryland Child Support Guidelines, the court concluded that Father owed Mother $234 per month in child support beginning July 2025. First, based on Mother's paystubs and financial documents presented at the hearing, the court found that she earned $14,757.25 a month in wages and $2,698.65 a month in VA

[6] On July 7, 2025, two days before the oral ruling, Father filed a motion, asking this Court to reopen his appeal in *Tyler II*. At the July 9 oral ruling, the circuit court judge stated that he was precluded from addressing this Court's remand pending Father's motion. Father's motion was denied on July 11, 2025, but he subsequently filed several other motions, all of which were denied.

disability benefits. The court then found Father's income remained at $10,089 per month, noting that he presented no evidence of change in earnings since the October 2020 child support order. Finally, the court attributed $0 to both parties for the Child's health insurance costs, observing that there was "no evidence . . . as to the amount of health insurance attributable to the [C]hild[.]" The court further explained that although Mother's paystubs reflected some health insurance withholdings, there was "no breakdown for the [c]ourt to come to any reasonable conclusion" regarding the specific portion covering the Child.

Father filed an appeal on the same day of the hearing on July 9, and about a week later, the circuit court entered a written order on July 16, 2025, reflecting its oral ruling.[7] Pursuant to the order, Father's custody and visitation schedule included, among other things, that "Child shall reside with [Father] in Maryland during the summer months which is defined as the Sunday after the last day of school to the Friday before the first week of school[.]" A child support guidelines worksheet was later filed separately.

The July 29 Order, Post-Judgment Motions, and Second Notice of Appeal

On July 29, 2025, following this Court's denial of Father's motion to reopen his appeal, the circuit court entered a memorandum opinion and an order, addressing our remand instructions from *Tyler II* and determining that Father's child support obligation for the period of August 2022 through July 2025 was $281.00 per month, resulting in an

[7] Although Father's notice of appeal predated the entry of the written order, we treat it "as filed on the same day as, but after, the entry on the docket." Md. Rule 8-602(f).

arrearage in the amount of $10,116.00. Thus, the court significantly reduced Father's child support obligation from the $554 per month that was contained in the court's November 2022 child support order. The court ordered each party to "provide . . . an accounting of any child support payments made by [Father] for the period of August 2022 through July 2025" and provided that "upon receipt of each parties' accounting, the [c]ourt will enter an arrearage award[.]"

A child support guidelines worksheet was filed the same day, showing that the court—as with calculation of the prospective child support—attributed $0 to each parent for the Child's health insurance costs. In the memorandum opinion, the court explained:

> The Maryland Appellate Court remanded the case "for further proceeding to clarify and correct the [child] support to accurately account for each parent's health insurance expenses." August 21, 2024, Opinion at p.12. In particular, the Court's child support calculation provided monthly health insurance expense incurred by [Mother] in the amount of $242. The Maryland Appellate Court, however, noted that this number did not correspond to either the amount set forth in [Mother's] financial statement or her estimate of 30% of the monthly $504 health insurance premium shown on her pay records which would have amounted to $151.20. **[Father] provided his financial statement at the October 7, 2022, hearing, which asserted that he paid $212 in health insurance attributable to his two children. The trial court's decision did not address [Father's] health insurance payments.**
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> Because this member of the bench did not preside over the previous hearing in which child support was decided, the parties were permitted to introduce additional evidence regarding income including health insurance expenses. **No additional evidence regarding either parties' health insurance was provided.**
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> Here, neither party provided evidence from which the Court can discern the amount either party paid solely of the minor child's share of health insurance. The Court does not credit either parties' assertions contained in their financial statements or [Mother's] estimation. **[Father's] claim of $212 for health insurance was for two children (one of whom is not subject to this**

> **proceeding and for which no allocation between the two children was made). Moreover, [Father] simply allocated 50% of his total insurance cost of $424 for the two children. There is no evidence to support this allocation.**

(Emphasis added).

Following the court's rulings, Father filed numerous post-judgment motions, most of which were summarily denied by the court.[8] The court also denied Father's then-pending motion to revise the January 2024 child support order, reasoning that "[Mother's] fraudulent financial documents . . . at best, demonstrate[d] intrinsic fraud, which does not support the [c]ourt exercising revisory power." On August 21, 2025, Father filed the second notice of appeal, which was then consolidated with his earlier appeal from July 9, 2025.

DISCUSSION

I

ASSIGNMENTS OF ERROR RELATING TO THE MODIFICATION OF CUSTODY

Legal Framework

In any child custody determination, it is the primary goal of the trial court "to serve the best interests of the child." *Caldwell v. Sutton*, 256 Md. App. 230, 265 (2022) (quoting *Conover v. Conover*, 450 Md. 51, 60 (2016)). Where, as here, a party moves to modify an existing custody order, the party must "show that there has been a material change in circumstances since the entry of the [previous] custody order and that it is now in the best

[8] Specifically, the court denied all Father's post-judgment motions filed between July 9 and August 21, 2025, except his "emergency motion to enforce and clarify access and international travel restrictions," which was granted on August 8, 2025.

interest of the child for custody to be changed." *Gillespie v. Gillespie*, 206 Md. App. 146, 171-72 (2012) (quoting *Sigurdsson v. Nodeen*, 180 Md. App. 326, 344 (2008)). "A material change of circumstances is a change of circumstances that affects the welfare of the child." *Kadish v. Kadish*, 254 Md. App. 467, 503 (2022) (quoting *Gillespie*, 206 Md. App. at 171). Once a trial court finds a material change in circumstances, the court then proceeds to decide "what custody arrangement is in the best interests of the child[.]" *Santo v. Santo*, 448 Md. 620, 639 (2016). In determining the child's best interests, the trial court must consider the factors delineated in *Montgomery County Dep't of Social Services v. Sanders*, 38 Md. App. 406 (1977), and *Taylor v. Taylor*, 306 Md. 290 (1986).[9] "In crafting

[9] The factors in *Sanders* are: (1) fitness of the parents; (2) character and reputation of the parties; (3) desire of the natural parents and agreements between the parties; (4) potentiality of maintaining natural family relations; (5) preference of the child; (6) material opportunities affecting the future life of the child; (7) age, health and sex of the child; (8) residences of parents and opportunity for visitation; (9) length of separation from the natural parents; and (10) prior voluntary abandonment or surrender. *See Sanders*, 38 Md. App. at 420.

The *Taylor* factors are: (1) capacity of the parents to communicate and to reach shared decisions affecting the child's welfare; (2) willingness of parents to share custody; (3) fitness of parents; (4) relationship established between the child and each parent; (5) preference of the child; (6) potential disruption of child's social and school life; (7) geographic proximity of parental homes; (8) demands of parental employment; (9) age and number of children; (10) sincerity of parents' request; (11) financial status of the parents; (12) impact on state or federal assistance; and (13) benefit to parents. *See Taylor*, 306 Md. at 304-11.

Together, these factors are colloquially referred to as "*Taylor-Sanders*" or "*Sanders-Taylor*" factors. *See, e.g.*, *Jose v. Jose*, 237 Md. App. 588, 600 (2018).

More recently, in *Azizova v. Suleymanov*, this Court recognized nine additional factors that "courts are encouraged to consider" in assessing custody:

a custody arrangement that will advance the best interest of a child, courts are instructed to determine 'what appears to be in the welfare of the child[ ] at the time of the [custody] hearing.'" *Augustine v. Wolf*, 264 Md. App. 1, 16 (2024) (quoting *Raible v. Raible*, 242 Md. 586, 594 (1966)).

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(1) the ability of each of the parties to meet the child's developmental needs, including ensuring physical safety; supporting emotional security and positive self-image; promoting interpersonal skills; and promoting intellectual and cognitive growth;
(2) the ability of each party to meet the child's needs regarding, inter alia, education, socialization, culture and religion, and mental and physical health;
(3) the ability of each party to consider and act on the needs of the child, as opposed to the needs or desires of the party, and protect the child from the adverse effects of any conflict between the parties;
(4) the history of any efforts by one or the other parent to alienate or interfere with the child's relationship with the other parent;
(5) any evidence of exposure of the child to domestic violence and by whom;
(6) the parental responsibilities and the particular parenting tasks customarily performed by each party, including tasks and responsibilities performed before the initiation of litigation, tasks and responsibilities performed during the pending litigation, tasks and responsibilities performed after the issuance of orders of court, and the extent to which the tasks have or will be undertaken by third parties;
(7) the ability of each party to co-parent the child without disruption to the child's social and school life;
(8) the extent to which either party has initiated or engaged in frivolous or vexatious litigation, as defined in the Maryland Rules; and
(9) the child's possible susceptibility to manipulation by a party or by others in terms of preferences stated by the child.

243 Md. App. 340, 346-47 (2019) (quoting Cynthia Callahan & Thomas C. Ries, *Fader's Maryland Family Law* § 5-3(b) (6th ed. 2016)).

In 2025, the General Assembly codified the child custody factors for the first time in Maryland at FL § 9-201, effective October 1, 2025, but this statute was not in effect at the time of the underlying proceedings in this case. *See* S.B. 548, 2025 Leg., 447th Sess. (Md. 2025).

Appellate courts in Maryland, including this Court, are tasked with "a limited review of a [circuit] court's decision concerning a custody award." *Wagner v. Wagner*, 109 Md. App. 1, 39 (1996). In doing so, we apply three interrelated standards of review. *In re Yve S.*, 373 Md. 551, 586 (2003). First, we review factual findings to determine whether they are clearly erroneous. *In re R.S.*, 470 Md. 380, 397 (2020). Findings of fact are not clearly erroneous "[i]f there is any competent material evidence" to support them. *Fantasy Valley Resort, Inc. v. Gaylord Fuel Corp.*, 92 Md. App. 267, 275 (1992). Second, we review whether the court erred as a matter of law, and this review we undertake without deference to the trial court. *Id.* Finally, we will not disturb the court's ultimate custody determination, "when based upon sound legal principles and factual findings that are not clearly erroneous," unless there has been a clear abuse of discretion. *Id.* As this Court explained more recently, in child custody cases, the abuse of discretion standard requires "articulating the logical nexus between the court's factual findings regarding the best interests of the minor child and its custody order." *Bajaj v. Bajaj*, 262 Md. App. 435, 450 (2024); *see also North v. North*, 102 Md. App. 1, 14-15 (1994).

Analysis

Father does not dispute that a material change in circumstances occurred; rather, he challenges the best interests determination, claiming that the court made "[g]eneric, unanchored findings" and failed to make specific findings regarding the Child's therapy lapses, school discipline, and Mother's alleged fraud. We disagree.

At the July 9 oral ruling, the court discussed the requisite *Taylor-Sanders* factors and made relevant factual findings under each. Specifically, the court noted that the Child

was not currently in therapy and had been disciplined at school. The court also discussed Mother's apparent falsification of financial documents, emphasizing that her actions "weigh[ed] heavily on the [c]ourt's decisions." Despite these concerns, the court found that both parents maintained "very strong" relationships with the Child, demonstrated sincerity in their custody requests, and possessed the ability to communicate regarding the Child's needs. Recognizing that Mother's relocation would inevitably cause "some level of disruption[,]" the court found that it was in the Child's best interests to continue the primary physical and joint legal custody arrangement that had been in place since February 2025. The court balanced this by granting Father a "robust access schedule" designed to preserve and foster his bond with the Child. Since the record establishes that the circuit court sufficiently articulated the "logical nexus" between its findings and the ultimate custody determination, we cannot say that the court abused its discretion. *Bajaj*, 262 Md. App. at 450.

To persuade us otherwise, Father makes several arguments, none of which we find persuasive. Father contends that the circuit court abused its discretion by maintaining Mother's tie-breaking authority despite findings of her financial misrepresentations. However, when determining the best interests of a child, the circuit court should "avoid focusing on or weighing any single factor to the exclusion of all others." *Best v. Best*, 93 Md. App. 644, 656 (1992). Rather, as the Supreme Court of Maryland emphasized in *Taylor*, the best interests analysis "requires thorough consideration of multiple and varied circumstances, full knowledge of the available options, including the positive and negative

aspects of various custodial arrangements, and a careful recitation of the facts and conclusions that support the solution ultimately selected." 306 Md. at 312. Simply put, no single factual finding "has talismanic qualities[,]" *id.* at 303, and the circuit court was well within its discretion in concluding that Mother's lack of candor, though significant, did not necessarily outweigh other factors supporting the award of tie-breaking authority to her. *See McCarty v. McCarty*, 147 Md. App. 268, 273 (2002) (noting that appellate courts "rarely, if ever, actually find a reversible abuse of discretion" in custody determinations).

We are similarly unpersuaded by his claim that the circuit court abused its discretion by not "reducing or suspending" Mother's tie-breaking authority for her failure to keep the Child in therapy. As we understand it, Father argues that because the August 2022 custody order "penalized" him by "remov[ing] [his] legal custody for therapy coordination issues[,]" a similar outcome is warranted here. However, as the Supreme Court of Maryland observed, "[t]he only absolute in the law governing custody of children is that there are no absolutes." *Domingues v. Johnson*, 323 Md. 486, 500 (1991) (quoting *Friederwitzer v. Friederwitzer*, 432 N.E.2d 765, 767 (N.Y. 1982)). Moreover, as we discussed, the court's primary goal in a custody determination "is to serve the best interests of the child[,]" not to punish or sanction a parent. *Caldwell v. Sutton*, 256 Md. App. 230, 265 (2022). Indeed, "[w]hen the custody of children is the question, 'the best interest[s] of the children is the paramount fact. Rights of father and mother sink into insignificance before that.'" *A.A. v.*

Ab.D., 246 Md. App. 418, 441 (2020) (quoting *Kartman v. Kartman*, 163 Md. 19, 22 (1932)).[10]

Nor do we find it convincing that the circuit court improperly "rel[ied] on past findings without tying them to current evidence." Father claims that the court's July 9 oral ruling "repeatedly referenced" findings from the August 2022 order regarding her housing and stability. However, in assessing a child's best interests, the circuit court must consider "all the relevant facts and circumstances"—which may include parents' history and past conduct—to determine whether a material change of circumstances has occurred and what arrangement serves the child's future best interests. *Schaefer v. Cusack*, 124 Md. App. 288, 307 (1998) (quoting *Tropea v. Tropea*, 665 N.E.2d 145, 150 (N.Y. 1996)); *see also Azizova v. Suleymanov*, 243 Md. App. 340, 357 (2019) (noting that a parent's past conduct may be relevant where "it is predictive of future behavior and its effect on the child"). Here, merely referencing Mother's history as an indication of her stability was not a reliance on the past findings to the exclusion of the present evidence; rather, it was a reasonable exercise of the trial court's discretion to assess the viability of her relocation plan.

[10] We also note that the circuit court's August 2022 custody order rested on far more than just Father's "therapy coordination issues." As explained in this Court's opinion in *Tyler I*, the court then considered and credited evidence of Father's failure to provide necessary medical treatment for the Child, failure to ensure school attendance, and failure to share essential mental health information. 2023 WL 3943836, at *3. Specifically, the court found that Father "refused to execute the necessary consent form for the [C]hild's therapist" and insisted on a different provider, while refusing to communicate with Mother regarding the Child's mental health. *Id.*

The record also establishes that the court was not clearly erroneous in taking judicial notice of the Dallas-Fort Worth area school calendar during the July 9 oral ruling. *See Matter of AutoFlex Fleet, Inc.*, 261 Md. App. 627, 667 (2024) ("We review a circuit court's ruling on a request to take judicial notice under the clearly erroneous standard"). Notably, Father has made no efforts to challenge the accuracy of the school calendar or to explain how the judicial notice prejudiced him. *See Flores v. Bell*, 398 Md. 27, 33 (2007) ("The burden is on the complaining party to show prejudice as well as error."). In addition, even though Father claims that the court failed to give him a "chance to be heard on the propriety and tenor of judicially noticed facts[,]" he did not make any objection or request a hearing when the circuit court expressly took the judicial notice. *See* Md. Rule 5-201(e) ("*Upon timely request*, a party is entitled to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed.") (Emphasis added).[11]

[11] We further note that the plain language of Maryland Rule 5-201(e) only mandates an opportunity to be heard, not necessarily a formal in-person hearing. As this Court observed:

> **it is sufficient if there is at some stage an opportunity to be heard suitable to the occasion and an opportunity for judicial review at least to ascertain whether the fundamental elements of due process have been met.** Moreover, with respect to legal issues, due process does not even necessarily require that parties be given an opportunity to present argument.

Wagner, 109 Md. App. at 23-24 (footnote and internal citation omitted) (emphasis added). Because Father was able to challenge the judicial notice in his post-trial motion to revise, we determine that he was afforded the opportunity to be heard. *See Chevy Chase Vill. v. Montgomery Cnty. Bd. of Appeals*, 249 Md. 334, 346 (1968) ("Where the question has been a close one as to whether one process required a hearing in a given situation, the fact that a court review was afforded has been held to swing the decision to the side where no hearing is necessary.") (citation omitted).

We further conclude that the court was not unreasonable in denying Father's postponement request in the middle of the relocation hearing. Maryland Rule 2-508 provides, in relevant part, that "[o]n motion of any party or on its own initiative, the court may continue or postpone a trial or other proceeding as justice may require." Md. Rule 2-508(a). Generally, "it would be an abuse of discretion for a trial judge to deny a continuance when the continuance was mandated by law, or when counsel was taken by surprise by an unforeseen event at trial, when he had acted diligently to prepare for trial, or, in the face of an unforeseen event, counsel had acted with diligence to mitigate the effects of the surprise[.]" *Touzeau v. Deffinbaugh*, 394 Md. 654, 669-70 (2006) (internal citation omitted). In the instant appeal, however, there was no statute or rule that obligated the court to grant Father's request for a postponement; nor was there any exceptional, unforeseen circumstance that necessitated a postponement. Father had known about Mother's relocation to Texas at least since December 2024, and Mother filed the DHS letter indicating Mann's assignment to Dallas-Fort Worth area a full week before the relocation hearing, but Father did not request a subpoena for DHS until the relocation hearing.

We find no merit in Father's remaining contentions. Father claims that the circuit court erred by relying on *In the Matter of Marriage of Houser*, 490 Md. 592 (2025), in determining the Child's custody, "even though *Houser* concerns child-support rights, not

relocation." But the record shows that the circuit court did rely on *Houser* for its child support determination.[12]

We are also not persuaded that the court abused its discretion by "mislabeling" the Child's half-brothers as "step-siblings[,]" as nothing in the record suggests that this semantic error caused the court to underestimate the significance of their relationships or otherwise skew the best interests analysis. In sum, we do not find any reversible error of law, nor do we discern any abuse of discretion or clearly erroneous factual findings. Accordingly, we affirm the circuit court's custody determination.

[12] Specifically, the court's sole reference to *Houser* during the July 9 oral ruling occurred as the court balanced the findings of Mother's misconduct against the court's duty to determine the Child's best interests for both custody *and child support*:

> I have taken [Mother's] actions into account regarding issues of her credibility, and her action will weigh heavily on the Court's decisions in this case. But I must not allow these actions to obstruct my duty to address the best interest of the child due to the relocation of [Mother] and **what should be an appropriate amount of child support.**
>
> **As the Maryland Supreme Court had just recently held *in the Matter of the Marriage of Hauser* [sic] . . . which was decided on June 27th of 2025, the [C]ourt noted that child support is a right held by and an obligation to the minor child, not to the parent. Consequently, [Mother's] apparent wrongdoing must not and legally cannot affect [the Child's] right to appropriate support in this case.**

(Emphasis added).

II

ASSIGNMENTS OF ERROR RELATING TO CHILD SUPPORT AND ARREARAGES

Legal Framework

The Supreme Court of Maryland recently instructed that

> Parents of a minor child "are jointly and severally responsible for the child's support, care, nurture, welfare, and education[.]" FL § 5-203(b)(1). This legal obligation to support a minor child is also a "moral obligation[,]" which "is [a] well-settled [principle] in Maryland [law]." *Petrini v. Petrini*, 336 Md. 453, 459, 648 [ ] (1994). Because the obligation is to support the child, Maryland courts have long recognized that the right to child support is a right held by the minor child—not a right held by the parent to whom the child support is paid.

In the Matter of Marriage of Houser, 490 Md. 592, 607 (2025). Section 12-104 of the Family Law Article ("FL") of the Maryland Code (1984, 2019 Repl.) governs court-ordered child support and states as follows:

> (a) The court may modify a child support award subsequent to the filing of a motion for modification and upon a showing of a material change of circumstance.
> (b) The court may not retroactively modify a child support award prior to the date of the filing of the motion for modification.
> (c) If a party becomes incarcerated, the court may determine that a material change of circumstance warranting a modification of child support has occurred, provided that the party's ability to pay child support is sufficiently reduced due to incarceration.

FL § 12-104; *see also Pellet v. Pellet*, 267 Md. App. 539, 552 (2025).

As a general matter, child support orders fall within the trial court's sound discretion. *Shenk v. Shenk*, 159 Md. App. 548, 554 (2004). In particular, "[w]here a trial court uses the guidelines to award child support, that determination will not be disturbed but for a clear abuse of discretion." *Houser*, 490 Md. at 605; *see also* FL § 12-202(a)(2)(i) ("There

is a rebuttable presumption that the amount of child support which would result from the application of the child support guidelines set forth in this subtitle is the correct amount of child support to be awarded."). Similarly, "the question of whether to modify an award of child support is 'left to the sound discretion of the trial court, so long as the discretion was not arbitrarily used or based on incorrect legal principles.'" *Tucker v. Tucker*, 156 Md. App. 484, 492 (2004) (quoting *Smith v. Freeman*, 149 Md. App. 1, 21 (2002)). In other words, "[a]s long as the trial court's findings of fact are not clearly erroneous and the ultimate decision is not arbitrary, we will affirm [the child support order], even if we may have reached a different result." *Kaplan v. Kaplan*, 248 Md. App. 358, 385 (2020). That said, "where the [child support] order involves an interpretation and application of Maryland statutory and case law, [this] Court must determine whether the [trial] court's conclusions are 'legally correct' under a *de novo* standard of review." *Id.* (quoting *Walter v. Gunter*, 369 Md. 386, 392 (2002)) (alterations in the original).

Analysis

On appeal, Father assigns three errors to the circuit court's modification of his monthly child support obligation under the July 16 order and arrearages under the July 29 order. First, Father claims the court erred by initially failing to attach a Child Support Guidelines Worksheet to the July 16 order. Second, Father complains that under both orders, the court "err[ed] by setting [his] health-insurance credit to $0 despite record evidence of Self-and-One coverage." Third, Father argues that the court failed to comply with our mandate from *Tyler II* by "revis[ing] monthly and arrears amounts without making record supported findings on insurance and verified income[.]" We disagree.

First, we find no Maryland authority requiring the circuit court to provide a child support guidelines worksheet with a child support order.[13] Moreover, in Maryland, we generally presume that a "trial judge knows and follows the law"; mere failure to "catalog each factor and all the evidence which related to each factor" typically does not, by itself, overcome that presumption or demand reversal. *Davidson v. Seneca Crossing Section II Homeowner's Ass'n*, 187 Md. App. 601, 628 n.4 (2009). Father cites FL 12-202 in support of his contention, but that provision only requires courts to "*use* the child support guidelines" in establishing or modifying a child support award, and, during the July 9 oral ruling, the court expressly referenced the guidelines in calculating the award. Thus, we do not find error or abuse of discretion.[14]

Next, we hold that the circuit court's decision to attribute $0 to both parents for the Child's health insurance coverage was neither clearly erroneous nor arbitrary. *See Kaplan*, 248 Md. App. at 385. In his informal appellate brief, Father argues:

> [c]ontrary to the court's later memorandum stating there was "no record" of child-inclusive coverage, the December 1, 2023 trial transcript shows the existence and details of Self + One coverage. **Appellee identified and the court admitted her healthcare election [Plaintiff's Exhibit 30], which**

[13] In his post-judgment "Protective Notice and Demand for Findings of Fact and Law[,]" which we discuss further below, Father cites "Matthews v. Matthes, 112 Md. App. 472 (1996)" as a supporting legal authority, but there is no such case.

[14] In fact, under Maryland Rules, the responsibility to provide the worksheet rests with the parties, not with the court. Maryland Rule 9-206 requires that "[i]n an action involving the establishment or modification of child support, *each party* . . . file a worksheet" and that "*[u]nless the court directs otherwise*, the worksheet . . . be filed not later than the date of the hearing on the issue of child support." (emphasis added). In the instant case, neither party filed a child support guidelines worksheet, and the circuit court expressly noted this failure during the July 9 oral ruling.

> **expressly shows Blue Cross Blue Shield tiers including "self plus one" and family, and the bi-weekly and monthly cost differences.**

(Emphasis added). At the December 1, 2023 hearing, upon which Father relies, Mother told the court:

> I want to go ahead and move into the insurance piece of it. Now, Your Honor, we're in open season right now, so I had to make a new selection. And so I'm going to submit not only what I provided originally to [Father] show that I have been covering the [Child] for the last years, in addition to that, I have to make a new selection. I'm also adding my husband. And I made sure I printed out the difference in cost for the insurance between the self and self plus one or self and family.

Plaintiff's Exhibit 30, which was introduced by Mother and subsequently admitted into evidence at the hearing, includes a redacted health benefits election form and a "2024 Standard Option Rates" from Blue Cross Blue Shield. These rates show a monthly rate for the individual (self-only) plan of $326.71, self-plus-one plan of $729.82, and a family plan of $803.14.

As we understand it, Father's argument is that the circuit court abused its discretion by not taking into account *Mother's* testimony and *Mother's* exhibit regarding *her* insurance plan for the Child. Even assuming *arguendo* that the court should have credited *Mother's* testimony and estimated *her* insurance costs for the Child based on the difference between "self-plus-one" and "family" coverages, it is unclear how this (alleged) error could prejudice Father, who, as the circuit court noted, did not provide any information about *his* own insurance plan. *Flores v. Bell*, 398 Md. 27, 33 (2007) ("The burden is on the complaining party to show prejudice as well as error.").

At any rate, nothing in the record establishes Father's "actual cost of providing

health insurance coverage for *a child for whom the parents are jointly and severally responsible*[,]" as required FL § 12-204(h) (emphasis added). Typically, "this cost has been defined as 'the cost of *adding the child(ren) to existing coverage or the difference between self-only and family coverage*.'" Cynthia Callahan & Thomas C. Ries, *Fader's Maryland Family Law* § 6-15 (7th ed. 2021) (emphasis added). In the instant appeal, there is "competent[,] material evidence" to find that Father's claim of $212 for health insurance was a bulk figure for two children, one of whom is not subject to this proceeding.[15] *Fantasy Valley Resort, Inc. v. Gaylord Fuel Corp.*, 92 Md. App. 267, 275 (1992) (explaining that a court's findings are not clearly erroneous if supported by "competent material evidence"). On the other hand, the record contains no evidence suggesting a method of identifying the cost of adding *this* Child to a self-only plan, and Father did not provide a breakdown to distinguish the costs between his children. In the absence of such evidence, we cannot require the circuit court to speculate about the specific portion of the insurance premium attributable to the Child. *See Brown v. Brown*, 119 Md. App. 289, 295 (1998) (explaining that evidence of a parent's additional income "must not be speculative or uncertain" when assessing child support obligations).

Finally, the record plainly belies Father's claim that the court "revised monthly and

[15] In his informal brief, Father indicates that he made "no mention of 'second child' medical coverage" during the child support hearing in October 2022. However, the record shows that he presented a financial statement both during the child support hearing and on appeal, which lists two children and provides "[$]212" as monthly health insurance expenses for the children. The circuit court's finding that Father claimed $212 for both children's health insurance expenses is therefore not clearly erroneous.

arrears amounts without making record supported findings on insurance and verified income[.]" In *Tyler II*, we instructed the circuit court to "*clarify and correct the support calculation* to accurately account for each parent's health insurance expenses" upon remand. 2024 WL 3886222, at *6 (emphasis added). That is precisely what the circuit court did here— under both the July 16 and July 29 orders—by noting lack of evidence from the parties regarding the amount of health insurance attributable to the Child and attributing $0 to each parent's health insurance expenses for the Child. The record further establishes that the circuit court's calculation of Father's prospective child support in the July 16 order was similarly grounded in the specific factual findings that (1) Mother earned $14,757.25 a month in wages and $2,698.65 a month in VA disability benefits, based on her financial documents presented at the relocation hearing; and (2) Father earned monthly income of $10,089, absent any evidence of change in earnings since the October 2020 order. Notably, Father does not challenge these findings as clearly erroneous. Because the court's calculations were based factual findings supported by the record, we find no abuse of discretion.

III

CLAIMS RELATING TO CONTEMPT AND POST-JUDGMENT MOTIONS

Having found no abuse of discretion regarding the circuit court's award of custody and child support, we turn to Father's remaining assignments of error, which primarily center on the court's summary denial of his March 31, 2025 contempt petition and post-judgment motions.

First, Father generally challenges the circuit court's summary denial of his post-judgment motions, claiming that the court failed to "mak[e] the findings specifically requested in [his] Protective Notice," and thereby "frustrating appellate review[.]" It appears that the "Protective Notice" refers to Father's "Protective Notice and Demand for Findings of Fact and Law[,]" filed July 29, 2025. In that filing, Father reiterates the same claims that we addressed above, namely: (1) the court did not sufficiently consider the findings of Mother's financial misrepresentation; (2) the court failed to make sufficient findings for the best interests analysis; (3) the court failed to file the child support guidelines worksheet when entering the July 16 order; and (4) the court's child support calculation did not reflect his insurance coverage for the Child.

The denial of a motion asking the court to exercise its revisory power is an appealable order, subject to our review. *See Estate of Vess*, 234 Md. App. 173, 204 (2017). However, an appeal from such an order "is not necessarily the same as an appeal from the judgment itself." *Id.* Rather, "in appeals from the denial of a post-judgment motion, reversal is warranted in cases where there is both an error and a compelling reason to reconsider the underlying ruling." *Sydnor v. Hathaway*, 228 Md. App. 691, 708 (2016) (citation omitted). Therefore, where, as here, a party challenges the denial of a motion for reconsideration, the party must also show that the denial "*was so far wrong*—to wit, *so egregiously wrong*—as to constitute a clear abuse of discretion." *Stuples v. Balt. City Police Dep't*, 119 Md. App. 221, 232 (1998) (emphasis in the original). "It is hard to imagine a more deferential standard than this one." *Vess*, 234 Md. App. at 205. Here, as

discussed, we find nothing in the record that shows the circuit court abused its discretion or otherwise committed reversible error in determining child custody and support.

Next, Father challenges more specifically the denial of his motion to revise the January 2024 child support order, claiming that "where certified financial records impeach earlier figures, the court should either exercise revisory power or make findings engaging the new proof." Father cites no legal authority in support of this assertion. In fact, as the circuit court correctly noted, our decisional law instructs that "an enrolled degree [may] not be vacated even though obtained by the use of forged documents, perjured testimony, or any other frauds which are 'intrinsic' to the trial of the case itself." *Manigan v. Burson*, 160 Md. App. 114, 120-21 (2004). In *Facey v. Facey*, we explained,

> Maryland precedent instructs that 1) "fraud is extrinsic when it actually prevents an adversarial trial, but is intrinsic when it is employed during the course of the hearing which provides the forum for the truth to appear, albeit that truth was distorted by the complained of fraud," *Schwartz v. Merch. Mortg. Co.*, 272 Md. 305, 309[ ] (1974); and 2) extrinsic fraud is "[f]raud which is collateral to the issues tried in the case where the judgment is rendered," *Hresko v. Hresko*, 83 Md. App. 228, 232[ ](1990).

249 Md. App. 584, 616-17 (2021). Clearly the alleged fraud in the underlying case was intrinsic, and therefore, Father's motion to revise was properly denied.

Father also challenges a footnote from the circuit court's August 25, 2025 order,[16] in which the court stated: "Further repeated motions raising issues that have been repeatedly decided by this Court *may* result in [Father] being declared vexatious litigant

[16] Although this order was entered on August 25, 2025, it was signed on August 20, 2025, a day before Father filed his second notice of appeal. *See* Md. Rule 8-602(f).

requiring court permission to file additional motions or requests for relief with this Court." (Emphasis added). This footnote, however, is neither an order nor a ruling, as it merely notifies Father that he "may" be declared vexatious litigant in the future. *See Riffin v. Cir. Ct. for Balt. Cnty.*, 190 Md. App. 11, 18, 32 (2010) (explaining that an *order* declaring "a person to be a 'frivolous' or 'vexatious' litigant, who must seek leave from the administrative judge before filing 'any pleadings[]'" constitutes a *sua sponte* injunction).

Finally, we dismiss Father's appeal with regard to the denial of his March 31, 2025 contempt petition, as we have no jurisdiction over that claim. In a contempt case, the statutory right of appeal is limited "to persons adjudged in contempt." *Pack Shack, Inc. v. Howard Cnty.*, 371 Md. 243, 254 (2002); *see also* Md. Code (1973, 2020 Repl. Vol.), Courts and Judicial Proceedings Article § 12-304(a) (allowing appeal from an "order or judgment . . . *adjudging* [a party] in contempt of court") (emphasis added). If there is no statutory authorization for appeal, "this Court does not have jurisdiction, and we must dismiss the case *sua sponte*." *Ross Cont., Inc. v. Frederick Cnty.*, 221 Md. App. 564, 575 (2015) (cleaned up). Here, because Father is the "party who unsuccessfully [sought] to have another party adjudged in contempt[,]" *Pack Shack, Inc.*, 371 Md. at 254, he is not entitled to appeal the denial of his contempt petition. *See Ross Cont., Inc.*, 221 Md. App. at 575; *see also* Md. Rule 8-602(b)(1) (mandating dismissal of appeal "if . . . the appeal is not allowed by [Maryland] Rules or other law"). Nor do we find any indication of bias or prejudice in the denial or, for that matter, elsewhere in the court's record; in any event, no such claim was preserved for our review. *See Harford Mem. Hosp., Inc. v. Jones*, 264 Md.

App. 520, 542-43 (2025) (requiring parties alleging judicial bias to "identify the conduct to which they object and the relief they want during the trial").

APPEAL DISMISSED AS TO THE DENIAL OF APPELLANT'S MARCH 31, 2025 PETITION FOR CONTEMPT; JUDGMENT OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY OTHERWISE AFFIRMED; COSTS TO BE PAID BY APPELLANT.