

Circuit Court for Baltimore County
Case No. C-03-CV-21-001518

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1050

September Term, 2025

MATTHEW P. SEFCIK

v.

JOHN K. KELLY, *et al.*

Zic,
Tang,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 6, 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.

Matthew Sefcik, appellant, appeals from an order issued by the Circuit Court for Baltimore County granting summary judgment in favor of John Kelly and Diana Siemer, appellees. He raises two issues on appeal: (1) whether the court erred in granting appellees’ motion for summary judgment, and (2) whether the court erred in granting appellees’ motion to dismiss Lillian Sefcik, his co-plaintiff, from the lawsuit because of her failure to attend the hearing on the motion for summary judgment. For the reasons that follow, we shall affirm.

Appellant and appellees live in adjoining row homes. In May 2018, a fire that started in appellees’ home damaged appellant’s home and personal property. In 2021, appellant and Ms. Sefcik filed a complaint for negligence against appellees, claiming that appellees had caused the fire because John Kelly brought “a ton of flammable stuff” onto his property “which he packed under the back porch” and then charged his “motorcycle’s battery unsafely[,]” causing “the battery [to blow] up from overcharging and ignite[] the gasoline and kindling creating a massive fire[.]”

Following the close of discovery, appellees filed a motion for summary judgment claiming that they were entitled to judgment as a matter of law because appellant had not produced evidence that any breach of duty by appellees had proximately caused the fire.¹ Specifically, they argued that: (1) the cause of the fire was listed as undetermined by the Baltimore County Fire Department; (2) appellant had not identified an expert witness who

¹ Appellees also asserted that appellant had failed to provide any evidence of damages that they had incurred beyond what had been paid to them from a property damage settlement with appellees’ insurer. Because we hold that appellant failed to produce sufficient, admissible evidence of causation, we do not address the evidence as to damages.

would testify regarding causation; and (3) appellant had not identified any specific code or statute that appellees had violated which caused the fire. Rather, the only evidence appellant offered during discovery in support of his claim was his opinion that it was “common sense” that appellees’ storing “all kinds of trash and flammables” under their porch with the motorcycle was “an accident waiting to happen[.]” Appellant filed an opposition again asserting that it was “common knowledge” that “battery charging is dangerous and batteries can blow up or catch on fire[.]”

The court held a hearing on the motion for summary judgment on May 14, 2025, which Lillian Sefcik did not attend. At that hearing, appellant reiterated his belief that he did not need an expert witness because he had observed multiple flammable items on appellees’ property that had not been properly stored and could have started the fire, including the motorcycle, kindling, a barbeque grill, and a wood burning stove. Following that hearing, the court granted appellees’ motion for summary judgment, finding that even though appellees had a legal duty to maintain their property in a condition that would not cause an unreasonable risk of harm to appellant’s property, appellant could not prove that the “plead conditions were the cause of the damage” without expert testimony. This appeal followed.

Appellant first contends that the court erred in granting summary judgment. As an initial matter, we note that appellant does not cite any authority or offer any legal analysis indicating why expert testimony was unnecessary to meet his burden of proof under the circumstances. Rather, he simply asserts that there were disputed facts, and he should have been “allowed to testify to a jury about anything & everything in his complaint[.]”

Although we are cognizant that appellant is a self-represented litigant, it is not this Court’s responsibility to “attempt to fashion coherent legal theories to support [his] [] claims” of error. *Konover Prop. Tr., Inc. v. WHE Assocs., Inc.*, 142 Md. App. 476, 494 (2002). Rather, it is his burden on appeal to demonstrate that the court committed error. For this reason alone, we need not consider whether the court erred in granting the motion for summary judgment. See *Diallo v. State*, 413 Md. 678, 692-93 (2010) (noting that arguments that are “not presented with particularity will not be considered on appeal” (quotation marks and citation omitted)).

But even if the issue had been properly raised, we would find no error.

In a negligence case, there are four elements that the plaintiff must prove to prevail: a duty owed to him [or her] (or to a class of which he [or she] is a part), a breach of that duty, a legally cognizable causal relationship between the breach of duty and the harm suffered, and damages.

Schultz v. Bank of Am., N.A., 413 Md. 15, 27 (2010) (internal quotation marks and citation omitted). And it is well settled that expert testimony is required “when the subject of the inference is so particularly related to some science or profession that it is beyond the ken of the average layman.” *Hartford Accident and Indem. Co. v. Scarlett Harbor Assocs. Ltd. P’ship*, 109 Md. App. 217, 257 (1996) (quotation marks and citation omitted).

Although “[e]xpert testimony is not required . . . on matters of which the jurors would be aware by virtue of common knowledge[.]” *Babylon v. Scruton*, 215 Md. 299, 307 (1958), establishing the cause of a fire is almost always well “beyond the ken of the average layman.” That is because, absent a highly straightforward scenario, such as when a defendant has admitted to starting the fire, or a lay witness directly observes how the fire

started,² determining the area of origin and ignition source of a fire requires specialized scientific and technical knowledge that is beyond a juror’s common experience. Because appellant did not designate an expert witness in this case who could testify regarding causation, no genuine issue of material fact existed as to that issue. Consequently, the court did not err in granting appellees’ motion for summary judgment.

Finally, appellant asserts that the court erred in dismissing “Lillian Sefcik’s case for not attending the hearing” because she was “incapacitated and hospitalized” at the time. But Ms. Sefcik is not a party to this appeal because she did not sign the notice of appeal. *Floyd v. Mayor and City Council of Baltimore*, 179 Md. App. 394, 427 (2008) (“The failure of the pro se individuals listed as appellants to sign the notice of appeal disqualifies them as appellants.”). And appellant may not raise arguments on her behalf. In any event, we note that the court did not dismiss Ms. Sefcik’s claim because of her failure to appear at the summary judgment hearing. Rather, the court granted summary judgment on the merits as to both her and appellant.

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

² Neither of these situations occurred here.