Circuit Court for Prince George's County
Case No. C-16-FM-24-002644

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1289

September Term, 2025

BRUCE A. CARRINGTON

v.

DANIELLE CARRINGTON

Arthur,
Ripken,
Hotten, Michele D.,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Ripken, J.

Filed: May 13, 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).

In May of 2025, the Circuit Court for Prince George's County entered an order granting a judgment of absolute divorce to appellant Bruce A. Carrington ("Father") and appellee Danielle Carrington[1] ("Mother"). As part of the divorce decree, the court ordered that Father and Mother share legal and physical custody of their child, to whom we shall refer as "E." Based on the court's evaluation of the parties' incomes and expenses with respect to E., the court ordered that Father pay child support to Mother. Father filed a motion to alter or amend the judgment within ten days of the court's order, seeking revision of the judgment on the issue of child support based on: 1) his contention that the court miscalculated Father's income; 2) his contention that the court failed to credit non-documentary evidence of child-related expenses; and 3) his request that the court reopen and consider additional evidence regarding Father's expense for health insurance attributable to E. The court conducted a hearing on the motion, and revised the judgment based on Father's income. However, the court declined to reconsider the judgment in terms of crediting Father's evidence concerning E.'s daycare and health insurance costs or to reopen the evidence concerning health insurance costs. Father filed the subject appeal, presenting the following issues for our review:[2]

[1] In the judgment of absolute divorce, the court restored Mother's maiden name of Johnson.

[2] Rephrased from:

> 1. Was the trial court's denial of credit for healthcare costs and work-related childcare[] expenses, even after post-judg[]ment motions, undisputed testimonies of [Father] and [Mother], a reversible error of the court, when Rule 8-604 gives authority to the court to modify when an error is material to the separable part of [j]udg[]ment?

(Emphasis omitted).

I. Whether the circuit court erred in calculating child support without crediting Father's child-related expenses.

II. Whether the circuit court abused its discretion in partially denying the motion to alter or amend.

For the reasons to follow, we shall affirm the judgment of the circuit court.

FACTUAL AND PROCEDURAL BACKGROUND

The parties were married in July of 2021 in Prince George's County, Maryland. They share one child, E., who was born in September 2021. Mother, Father, E., and Mother's son from a previous marriage resided in a house in Oxon Hill, which the parties purchased three months before their wedding. Both parties were employed during the marriage, with Father working as a middle school teacher and Mother working as an analyst for a government contractor.

In December of 2023, Mother filed a complaint for absolute divorce, seeking joint legal and primary physical custody of E., as well as child support. In March of 2024, Father filed a separate complaint seeking joint legal and shared physical custody of E. The circuit court consolidated the two cases. In June of 2024, both parties filed financial statements pursuant to Maryland Rule 9-203 (hereinafter, "9-203 statement"), which identified their income and child-related expenses. In his financial statement, Father identified his monthly expense for E.'s daycare as $810.00, and $169.25 as the monthly cost for E.'s health insurance. Mother also identified her cost for childcare expenses as $810 per month. In November of 2024, as the scheduled date for trial on the merits approached, Mother filed an updated financial statement reflecting a decrease in childcare expenses to $650 per month. Father did not update his financial statement.

On November 21, 2024, a settlement conference was conducted that led to a resolution of several issues in the case, including marital property, alimony, attorney fees, and use of the Our Family Wizard Program to facilitate communication between the parties.

December Hearing

The matter proceeded to a hearing on the merits that commenced on December 10, 2024. The parties placed the terms of the agreement on the record, and the court indicated that issues remaining to be decided were legal and physical custody, as well as child support. Father testified that in 2024, he had earned an income of approximately $89,000 for the year. He further testified that as a schoolteacher, he was a ten-month employee, which meant that a percentage of his paycheck would be placed in a "summer account" so he would be paid the same amount in the summer as he would during the school year. Although in some years Father had taken on summer employment with the school for additional income, he did not do so every year.

Father further testified that he had enrolled E. at a Montessori preschool program for daycare in the Fall of 2024. During cross-examination, he claimed that the monthly cost of this program was $800 per month. Father did not provide any documentary evidence of this expense during the entirety of the hearing.

Father also testified on direct examination that he did not detect any information that had changed in the financial statement that he submitted in June of 2024. However, during cross-examination, Father acknowledged that several of the figures listed in his

financial statement had in fact changed.[3] In addition, he admitted that he could not recall how he had calculated the cost of health insurance for E., which he had identified in his financial statement. Father asserted that the county he worked for had a breakdown that could demonstrate the difference in health insurance for a sole individual compared with a covered child. However, he was unsure what amount was attributable to E., and he did not have the documents reflecting that amount with him at the December 2024 hearing.[4]

April Hearing

The parties appeared for a second day of the merits hearing on April 17, 2025. Mother testified that she believed E.'s health insurance was being covered by Father. She explained what the cost would be if E. were enrolled in Mother's health insurance and provided an exhibit documenting that potential expense. Mother also testified concerning her costs to enroll E. in a daycare program, as well as her costs from the prior program in which E. was enrolled. She provided exhibits demonstrating these costs, including her contract with the new program, invoices reflecting payments made, and payment histories.

During closing arguments, Mother's counsel noted that Father did not produce any documentation regarding the daycare expenses he had referenced in his testimony. Counsel

[3] Father acknowledged that: the number identified as the mortgage payment number was "a little off"; that the costs for the water bill and electric bill had changed since he submitted the financial statement; the cost identified for cable was no longer being paid; the cost identified for pets and boarding no longer existed; and that some of the cost identified as a monthly credit card payments likely included some of the expenses reflected by other categories such as food and clothing.

[4] Father also did not attempt to provide these documents when he was recalled as a rebuttal witness on the second day of the hearing, which took place in April of 2025.

further argued that in examining Father's bank statements, no expenses for daycare appeared. Counsel also maintained that Father had not provided any documentation to show the cost of E.'s health insurance.

Initial Order

The court held a virtual hearing on April 18, 2025, at which the court gave a ruling on the record.[5] On May 2, 2025, the court entered an order granting the parties an absolute divorce and granting them joint legal and physical custody of E. The court also ordered that Father pay child support based on the court's assessment of Father's income as $4,180 bi-weekly.

Motion to Alter or Amend

Within ten days of the court's entry of the order, Father filed a motion to alter or amend the judgment. He sought revision of the amount of child support based on the court's inflated calculation of his income. He further asserted that the court should have accepted Father's testimony that he paid $800 per month for E.'s daycare expenses. Finally, he asserted that he paid health insurance expenses for the child in the amount of $71.48 bi-weekly and requested that the court reopen the judgment to receive this additional evidence, which he attached as an exhibit to his motion. Father requested that the court recalculate child support to include these figures.

Mother opposed the motion. She claimed that Father did not provide any reason why the court should receive additional evidence that Father could have presented at trial.

[5] A transcript of this hearing was not acquired.

She further argued that the court was not required to accept Father's financial statement as evidence of his expenses.

Hearing on Revisory Motion

The court conducted a hearing on Father's revisory motion on July 31, 2025. Mother asserted, and Father agreed, that the evidence adduced at the trial demonstrated that Father's gross monthly income was $7,896 as demonstrated by Father's pay stubs. Father claimed that the court should have credited his testimony that he did not work every summer and therefore should not have included the sum he earned during the summer; in Father's view, this evidence would support his position that he received a monthly income of $6,570. Father also argued that the court should have given him credit for the daycare expense of $810 that he identified in his financial statement. Father requested the court reopen the evidence to allow him to submit evidence relating to the health insurance costs for E. As a reason for why he should be permitted to present evidence after the conclusion of the hearing and the court's ruling, Father asserted that the basis was to promote fairness.

Mother argued that the court should not allow Father to present new evidence regarding the daycare expenses or health insurance expenses, as he had this information available at the time of the merits hearing. She asserted that it was unfair to her for Father to be given a second chance to present this evidence, given that the evidence Father presented during the merits hearings—in particular, his bank statements—did not reflect any payments for daycare costs.

Father responded that Rule 2-534 allows the court broad discretion to reopen evidence. He asserted that Father should not be penalized by his counsel's failure to

introduce the evidence, and that it would be "appropriate" for the court to consider expenses Father was actually paying.

The court granted the revisory motion in part relating to Father's income, which the court modified to reflect $7,896 per month. The court indicated it would adjust the child support order accordingly based on the guidelines. In relation to the daycare costs, the court found it would be unfair to Mother to accept the figure represented by Father—particularly because Mother identified issues that she would have addressed in impeachment had Father presented the evidence during the course of the trial. The court indicated that the same reasoning applied to the question of whether to reopen the evidence of the health insurance and declined to allow reopening on either issue.

On August 14, 2025, the court entered an order granting in part the motion to alter or amend to correct Father's monthly income and correspondingly revised the child support obligation. The order reflected the court's denial of Father's request to present additional evidence of his daycare expenses and health insurance expenses. This timely appeal followed.

DISCUSSION

Father filed a Rule 2-534 motion to alter or amend the judgment of absolute divorce within ten days of its entry, thereby extending the time for noting an appeal until "30 days after entry of . . . an order . . . disposing of [the] motion[.]" Md. Rule 8-202(c). *See Kamara v. Edison Bros. Apparel Stores, Inc.*, 136 Md. App. 333, 336 (2001); *see also Ireton v. Chambers*, 229 Md. App. 149, 153 (2015) (indicating that when party filed a revisory motion and the circuit court revises its earlier ruling, the revised ruling becomes the final

judgment). Accordingly, Father's appeal is timely as to both the underlying child support judgment and the court's subsequent ruling on his Rule 2-534 motion. The appeal therefore encompasses both (i) the court's initial child support calculation based on the evidence admitted at trial and (ii) the court's partial denial of Father's post-judgment requests asking that the court revise that calculation and open the judgment to receive additional evidence. We shall address each issue in turn.

I. THE CIRCUIT COURT DID NOT ERR IN CALCULATING CHILD SUPPORT WITHOUT CREDITING FATHER'S CHILD-RELATED EXPENSES.

A. Party Contentions

As we understand his argument, Father contends that, in declining to credit him for childcare and insurance costs incurred on E.'s behalf, the circuit court erroneously disregarded evidence of those expenditures introduced at trial. With respect to childcare, Father posits that both he and Mother testified that E. attended a Montessori school while in his care. Although Father concedes that he did not introduce bank statements showing the $800 per month in tuition payments he purportedly made, he maintains that the court "should . . . have reasonably assumed that [Father], with 182 nights of the year, has childcare costs while he's at work as an educator." Father further asserts that the parties' testimony established that he covered E.'s health insurance costs and that he introduced pay stubs showing that health, dental, and vision insurance premiums were deducted from

his paycheck.[6] He concludes that the omission of these expenses from the child support calculation indicates that the court "failed to use the Maryland Child Support Guidelines[.]"

Mother asserts that Father failed to introduce competent evidence substantiating his claimed expenses and that the court was not permitted to assume or speculate about such costs. With respect to insurance costs, Mother characterizes Father's claimed expenses for E. as "imprecise and speculative," noting that, when asked how he arrived at those figures, Father testified that he lacked supporting documentation and could not explain how the amounts were calculated. As to childcare expenses, Mother maintains that Father's representations regarding his alleged payments were contradicted by bank statements from August through November 2024 that were presented at trial. Accordingly, Mother

[6] Father raises two related arguments in passing. First, Father asserts that he "suffere[d] the offense [of] ineffective assistance of counsel." Although ineffective assistance of counsel claims are generally reserved for defendants in criminal cases, Maryland courts have also considered such claims when reviewing child in need of assistance and guardianship proceedings in which parties enjoy a statutory right to counsel. *See, e.g.*, *In re J.R.*, 246 Md. App. 707, 757–60, *cert. denied*, 471 Md. 272 (2020). Those statutes do not, however, extend to the divorce and child support proceeding at issue. *See Das v. Das*, 133 Md. App. 1, 29 ("The right to counsel does not apply to a simple action for divorce."), *cert. denied*, 361 Md. 232 (2000). Because Father was neither statutorily entitled to representation at trial nor under threat of incarceration, he cannot prevail on a claim of ineffective assistance of counsel.

Second, in his reply brief, Father challenges the veracity of the evidence of Mother's work-related childcare expenses, arguing that E. has not attended the daycare in which Mother testified to having enrolled her. Because Father raised this issue for the first time in his reply brief, we decline to consider it. *See Gazunis v. Foster*, 400 Md. 541, 554 (2007) ("[A]ppellate courts ordinarily do not consider issues that are raised for the first time in a party's reply brief."); *Anderson v. Burson*, 196 Md. App. 457, 476 (2010) ("We shall decline to address any of the issues raised by [the appellant] for the first time in their reply brief.").

concludes that Father "failed to meet his burden to establish his purported child-related expenses to be included in the calculation of child support[,]" and thus, the trial court correctly determined child support based on the available evidence and did not abuse its discretion in declining to reopen evidence after judgment.

B. Standard of Review

This Court recently described the standard of review applicable to child support determinations as follows:

> The trial court's decision as to the appropriate amount of child support involves the exercise of the court's discretion. A court can abuse its discretion when it makes a decision based on an incorrect legal premise or upon factual conclusions that are clearly erroneous. However, where the child support order involves an interpretation and application of Maryland statutory and case law, the Court must determine whether the trial court's conclusions are legally correct under a *de novo* standard of review.

Houser v. Houser, 262 Md. App. 473, 490 (2024) (brackets, internal quotation marks, and citations omitted), *aff'd sub nom. Matter of Marriage of Houser*, 490 Md. 592 (2025). "We will not disturb the trial court's determination as to child support, absent legal error or abuse of discretion." *Jackson v. Proctor*, 145 Md. App. 76, 90 (2002).

C. Analysis

In calculating child support, trial courts must apply the guidelines set forth in the Maryland Code (1989, 2019 Repl. Vol.), sections 12-201 through 12-204 of the Family Law Article ("FL"). FL § 12-202(a)(1). *See also Guidash v. Tome*, 211 Md. App. 725, 737 (2013) ("Use of the guidelines to determine child support is mandatory[.]"). The amount of child support calculated by applying the guidelines is presumptively "the correct amount of child support to be awarded." FL § 12-202(a)(2)(i). *See also Matter of Marriage of*

Houser, 490 Md. at 598 (citing FL § 12-202(a)(2)(i)). That presumption may be rebutted, however, "by evidence that the application of the guidelines would be unjust or inappropriate in a particular case." FL § 12-202(a)(2)(ii).

In essence, "the guidelines require that the court determine the parties' monthly actual income, calculate the basic support amount, add certain child-related expenses to the basic support amount, and then allocate the total between the parents." *Guidash*, 211 Md. App. at 745. The expenses courts are required to add to the basic support amount include both "actual child care expenses incurred . . . due to employment[,]" FL § 12-204(g)(1), and "[a]ny actual cost of providing health insurance coverage for a child[.]" FL § 12-204(h)(1). The adjective "actual" refers to "[s]omething real, in opposition to constructive or speculative[.]" *Shenk v. Shenk*, 159 Md. App. 548, 554 (2004) (internal quotation marks and citation omitted).

The burden of proving the existence and amount of actual insurance costs and childcare expenses "is on the spouse seeking them." *Ruiz v. Kinoshita*, 239 Md. App. 395, 437 (2018); *see also Shenk*, 159 Md. App. at 554 ("The burden of proof as to the existence of the prerequisites to entitlement is upon the spouse who seeks actual child[]care expenses."). When the proponent meets that burden, such costs and expenses "shall be added to the basic child support obligation and shall be divided by the parents in proportion to their adjusted actual incomes." FL § 12-204(g)(1), (h)(1). Conversely, a court generally should not include in its child support calculation childcare expenses or insurance costs based on evidence that is speculative, uncertain, or hypothetical. *Cf. Shenk*, 159 Md. App. at 554–55 (2004) (holding that the trial court erred by including hypothetical full-time

child-care expenses in its child support calculation where the evidence showed that the wife worked, at most, part-time, rendering the award "speculative and improper").

As an initial matter, we note that the circuit court's omission of Father's claimed childcare expenses and health insurance costs from the court's initial support calculation does not necessarily mean that it "failed to use the Maryland Child Support Guidelines[.]" If the court discredited Father's evidence that he actually incurred those expenses, the exclusion of those expenses and costs would simply reflect a determination that Father failed to meet his burden of proving the factual predicates necessary for their inclusion.

The parties' testimony that E. attended the Montessori school while in Father's care did not provide a sufficient evidentiary basis for the court to credit Father for work-related childcare expenses. To carry his burden, it is not sufficient that Father merely establish that E. attended daycare. Rather, Father was required to produce evidence of the actual childcare expenses incurred on E.'s behalf. *See* FL § 12-204(g)(1). Absent such evidence, any award of childcare expenses would have been speculative rather than "actual." *See id.*

Father's paystubs were likewise insufficient evidence from which the court could determine the actual cost of health insurance for E., as they reflected Father's undifferentiated family health insurance premium, rather than the "actual cost of providing health insurance coverage for [the] child[.]" FL § 12-204(h)(1). As explained in *Fader's Maryland Family Law*:

> 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. This is the number the court can allocate. It cannot allocate the whole cost, nor can it guess at the percentage of the whole cost. Evidence must be presented.

Cynthia Callahan & Thomas C. Ries, *Fader's Maryland Family Law* § 6-15(a) (7th ed. 2021) (citations and internal quotation marks omitted). Thus, the pay stubs, in failing to show the cost of insurance specifically for E., do not suffice. *See id.*; FL § 12-204(h)(1).

Father asserts that his financial statement filed prior to trial qualified as evidence demonstrating that Father paid $800 per month in childcare costs and differentiating the specific cost of health insurance attributable to E., which he contends the trial court should have found to be credible. We disagree with Father's contention that the circuit court was required to accept the premises in the financial statement. *See Goicochea v. Goicochea*, 256 Md. App. 329, 340 (2022) (quoting Md. Rule 8-131(c)) ("When an action is tried without a jury, the appellate court reviews the case based on the law and the evidence and will give due regard to the opportunity of the trial court to judge the credibility of the witnesses.") (internal quotation marks omitted). Therefore, the trial court is afforded significant deference in evaluation of all, part, or none of the evidence. *See id.* Moreover, "[a]lthough it is not uncommon for a fact-finding judge to be clearly erroneous" when affirmatively persuaded of something, it is "almost impossible for a judge to be clearly erroneous when he or she is simply not persuaded of something." *Omayaka v. Omayaka*, 417 Md. 643, 658–59 (2011) (brackets and emphasis omitted) (quoting *Bricker v. Warch*, 152 Md. App. 119, 137 (2003)).

Father's June 2024 Rule 9-203 statement itemized E.'s monthly daycare and health insurance expenses as $810 and $169.25, respectively.[7] However, during cross-

[7] The long and short forms of Father's Rule 9-203 statements respectively differ in expressing the amount of E.'s health insurance expense as $169.25 or $169.24 per month.

examination, Father acknowledged that there were multiple changes to his financial status that were not reflected in the statement.[8] Moreover, while Father testified that he had enrolled E. at the Montessori school in September of 2024—after the filing of his financial statement—he attested that E.'s tuition remained $800 per month. As Mother noted in closing argument, Father's bank statements did not reflect these expenses. In addition, Father did not provide any testimony concerning how he determined the cost of health insurance attributable solely to E. During cross-examination, he admitted that he could not recall how he had calculated the cost of health insurance for E. identified in his financial statement. Father asserted that the county he worked for had a breakdown that could demonstrate the difference in health insurance for a sole individual compared with a child. However, he was unsure what amount was attributable to E., and he did not present documents reflecting that amount with him at the December 2024 hearing; nor did he bring such documents to the continuation of the merits hearing in April of 2025. While there was minimal evidence which, if credited, would have provided an adequate evidentiary basis for the court to include Father's alleged childcare and health insurance costs, that evidence was subject to a weight and credibility determination by the trial court. *See Goicochea*, 256 Md. App. at 340; *Omayaka*, 417 Md. at 658–59.

An additional obstacle to the review of Father's argument is that the record before us does not reflect what, if any, weight the court afforded that evidence. This is the result of Father's failure to provide this Court with a transcript of the April 18, 2025 disposition

[8] *See supra* n.3.

hearing, at which the court announced its ruling and presumably explained its reasoning. *Compare* Md. Rule 2-522(a) ("In a contested court trial, the judge, before or at the time judgment is entered, shall prepare and file or dictate into the record a brief statement of the reasons for the decision[.]"), *with Aventis Pasteur, Inc. v. Skevofilax*, 396 Md. 405, 426 (2007) ("[T]here is a strong presumption that judges properly perform their duties[.]" (internal quotation marks and citations omitted)).

As the appellant, Father bore the burden of "put[ting] before this Court every part of the proceedings below which were material to a decision in his favor." *Lynch v. R. E. Tull & Sons, Inc*., 251 Md. 260, 262 (1968). *See also Kovacs v. Kovacs*, 98 Md. App. 289, 303 (1993) ("A party asserting that error was committed . . . bears the burden of showing, *by the record*, that the error occurred." (emphasis added)), *cert. denied*, 334 Md. 211 (1994). To satisfy that burden, it was incumbent upon Father to request "a transcription of any portion of any proceeding relevant to the appeal . . . that contains the ruling or reasoning of the court[,]" and to ensure the transcript's inclusion in the record on appeal. Md. Rule 8-411(a)(2). *See also* Md. Rule 8-413(a) ("The record on appeal shall include . . . the transcript required by Rule 8-411[.]").

As Father has failed to produce a transcript of the April 18 disposition hearing, we are unable to meaningfully review the court's exclusion of the alleged expenses at issue from its child support calculation. Accordingly, we must reject Father's claim of error.[9]

[9] While we are mindful of Father's *pro se* status, it does not excuse his failure to comply with the relevant Maryland Rules. *See Dep't of Labor, Licensing & Regul. v. Woodie*, 128 Md. App. 398, 411 (1999) ("It is a well-established principle of Maryland law that *pro se* parties must adhere to procedural rules in the same manner as those represented by

See Kovacs, 98 Md. App. at 303 ("The failure to provide the court with a transcript warrants summary rejection of the claim of error.").

II. THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION IN PARTIALLY DENYING THE MOTION TO ALTER OR AMEND.

A. Party Contentions

Father also challenges the circuit court's partial denial of his motion to alter or amend. Specifically, he claims that the court erred by declining to reopen the case to receive additional evidence concerning his work-related childcare expenses and E.'s health insurance costs. As we understand his argument, Father also appears to assert that, in denying his revisory motion, the court failed to reconsider the evidence admitted at trial in the form of Father's Rule 9-203 statement.

Mother posits that the court did not abuse its discretion in denying the motion to alter or amend. With respect to Father's first argument, Mother responds that the circuit court "appropriately denied [his] request to introduce additional evidence" on the grounds that such evidence "could have been presented at trial" and reopening the case would have been unfair to Mother. As to Father's second argument, Mother maintains that in recalculating child support in response to his motion to alter or amend, the court properly "determined the facts to [be] include[d] into the Maryland Child Support Guidelines" based on the evidence presented at trial.

counsel."); *Tretick v. Layman*, 95 Md. App. 62, 68 (1993) ("The principle of applying the rules equally to *pro se* litigants is so accepted that it is almost self-evident.").

B. Standard of Review

When considering a timely motion to alter or amend under Maryland Rule 2-534, "the discretion of the trial judge is more than broad; it is virtually without limit." *Steinhoff v. Sommerfelt*, 144 Md. App. 463, 484 (2002). In addition to arguing the intrinsic merits of an issue, an appellant seeking review of the denial of a revisory motion under Maryland Rule 2-534 "must also make a strong case for why a judge, having once decided the merits," should then have exercised its discretion in revisiting them. *Id.* at 484–85. When a party appeals the denial of a Maryland Rule 2-534 motion to alter or amend, the standard of review is whether the circuit court abused its discretion in declining to revisit the judgment. *See Halstad v. Halstad*, 244 Md. App. 342, 349 (2020) (citing *Schlotzhauer v. Morton*, 224 Md. App. 72, 84 (2015)).

A court abuses its discretion "'where no reasonable person would take the view adopted by the [circuit] court' or where the court acts 'without reference to any guiding rules or principles.'" *Johnson v. Francis*, 239 Md. App. 530, 542 (2018) (quoting *Powell v. Breslin*, 430 Md. 52, 62 (2013)), *cert. denied*, 463 Md. 155 (2019). "An abuse of discretion may also be found where the ruling under consideration is clearly against the logic and effect of facts and inferences before the court, or when the ruling is violative of fact and logic." *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997) (internal quotation marks and citations omitted). To be reversed, the decision under consideration must be "well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable." *Rose v. Rose*, 236 Md. App. 117, 131 (citation omitted), *cert. denied*, 459 Md. 417 (2018).

C. Analysis

Maryland Rule 2-534 provides that for judgments decided by a court, upon receipt of a motion filed within ten days of a judgment's entry, the court may, *inter alia*, open the judgment to receive additional evidence, adjust its findings, and amend the judgment. As is evident from the use of the word "may," the decision to grant or deny a Rule 2-534 motion is committed to the broad discretion of the trial court. *See, e.g.*, *Renbaum v. Custom Holding, Inc.*, 386 Md. 28, 45 n.15 (2005) (citation omitted) ("Rule 2-534 grant[s] trial courts wide discretion to open a judgment, receive additional evidence, and amend or alter the judgment and findings.").

A trial court's discretion is particularly wide, and the movant's burden especially great, in the context of motions to alter or amend. In *Steinhoff*, 144 Md. App. at 484, this Court explained:

> With respect to the denial of a [m]otion to [a]lter or [a]mend, . . . the discretion of the trial judge is more than broad; it is virtually without limit. What is, in effect, a post-trial motion to reconsider is not a time machine in which to travel back to a recently concluded trial in order to try the case better with hindsight. The trial judge has boundless discretion not to indulge this all-too-natural desire to raise issues after the fact that could have been raised earlier but were not[.]

We further explained that post-trial motions do not provide blanket authorization for parties unsatisfied with the outcome "to replay the game as a matter of right." *Id.* We clarified that a party's burden in making a post-judgment motion is more onerous than at trial:

> That a party, *arguendo*, should have prevailed on the merits at trial by no means implies that he should similarly prevail on a post-trial motion to reconsider the merits. A decision on the merits, for instance, might be clearly right or wrong. A decision not to revisit the merits is broadly discretionary. The appellant's burden in the latter case is overlaid with an additional layer

> of persuasion. Above and beyond arguing the intrinsic merits of an issue, he must also make a strong case for why a judge, having once decided the merits, should in his broad discretion deign to revisit them.

Id. at 484–85.

Here, Father asserts that the circuit court abused its discretion in declining to revise the judgment using the undocumented evidence presented in his Rule 9-203 statement for daycare costs, and in declining to reopen evidence to admit evidence regarding health insurance costs. The court, after hearing the parties' arguments, stated the following in relation to whether to reconsider the daycare costs:

> [T]his is a slippery slope because if it wasn't presented during the trial - - during the merits hearing - - to now go back and open it - - as pointed out by [Mother's] counsel, there were things that [Mother's counsel] would have addressed, . . . i.e.[,] the absence of transactions on the bank statement to support it. They would have tried to impeach the allegations.
>
> So when I say it's a slippery slope, I'm not trying to do anything that's fundamentally unfair to [Father]. But on the flip side, it would be fundamentally unfair to just take this number and accept it without considering that [the] number is not being agreed to or consented to by [Mother], and she would have . . . assailed or attacked [the number], presumably, based on [the fact that] she's a[n] officer of the court, that's what she's saying she would have done, presumably, if it was presented during the trial.
>
> So that's a slippery slope to just start opening doors and going back and revisiting things. . . . [Father's motion to reopen evidence is suggesting] we would have, could have, should have presented this daycare calculation. And now, [Mother] is saying, well, if you had, I would have done this . . . that would render the trial useless. Why would we do that? Why would we do the trial if we're just going to come back and consistently revisit it and reopen the door?
>
> [The] request is denied as to the inclusion of the daycare calculation.

The court continued, applying the same reasoning to whether to reopen the evidence regarding the health insurance costs:

> It's the same thing. I'm not saying that legally, [Father is] not entitled to it. But if you don't present it during trial, to come back and open the door and revisit now, I take full responsibility for anything I dropped the ball on. And that should not be impugn the parties, and I'd be more than willing to rectify and fix it.
>
> But if you didn't present it to the court, then I can't come back and consider it now. And so the motion is denied[.]

The court in this case explained its reasoning in declining to accept the numbers Father posited in his Rule 9-203 statement as to the daycare costs, and indicated that the same reasoning applied to its decision not to reopen the evidence as to the health insurance costs—because it would have been unfair to do so when Mother asserted that she would have disputed those numbers. We cannot say that no reasonable person would have taken this view. *See Johnson*, 239 Md. App. at 542 (citation omitted). Nor can we say that this ruling was clearly against "the logic and effect of facts and inferences before the court," *see In re Adoption/Guardianship No. 3598*, 347 Md. at 312, or that the ruling was "well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable." *See Rose*, 236 Md. App. at 131 (citation omitted).

We further observe that Rule 2-534 permits a party to present additional evidence that may persuade "the trial judge to enter a different, more appropriate judgment." *Renbaum*, 386 Md. at 46. However, the Rule does not suggest an intention to afford litigants a second opportunity to introduce evidence that was known and available to them at trial but which they neglected to offer. This Court has recognized that a court does not abuse its discretion in denying a Rule 2-534 motion to reopen a case to receive additional

evidence that was available to, but not offered by, the movant during the underlying proceeding. *See Rock v. Rock*, 86 Md. App. 598, 623–24 (1991) (concluding that the court did not abuse its discretion in denying the appellant's Rule 2-534 motion where the evidence proffered in support of the motion was available, but not offered, at an earlier exceptions hearing).

In applying the foregoing principles, we discern no abuse of discretion in the circuit court's refusal to receive the health insurance rate sheet into evidence.[10] Father acknowledges that, although the document was available at trial, his attorney failed to introduce it. That the oversight may have been that of counsel does not provide a valid basis for excusing such. *See Bland v. Hammond*, 177 Md. App. 340, 358 (2007) (quoting *Link v. Wabash R. Co.*, 370 U.S. 626, 633–34 (1962)) ("Petitioner voluntarily chose this attorney as his representative in the action, and he cannot now avoid the consequences of the acts or omissions of this freely selected agent."). Under these circumstances, we cannot say that the court's denial of Father's request to reopen the judgment to receive the health-insurance rate sheet was "well removed from any center mark" or "beyond the fringe of what [we] deem[] minimally acceptable." *Rose*, 236 Md. App. at 131

[10] On appeal, Father asserts that the circuit court also abused its discretion in refusing to admit bank statements which he contends reflect payments made to the Montessori school. We note that the health insurance rate sheet was the only "additional evidence" attached to Father's revisory motion or referenced by counsel at the hearing thereon. Given that the bank statements were neither presented nor proffered to the circuit court, it could not have erred by failing to consider them. *See Cochran v. Griffith Energy Serv., Inc.*, 191 Md. App. 625, 663 ("Facts outside the record cannot be argued to or considered by the trial court, and thus have no influence on its judgment. Accordingly, an appellate court must confine its review to the evidence actually before the trial court when it reached its decision."), *cert. denied*, 415 Md. 115 (2010).

(citation omitted). Thus, the circuit court did not abuse its discretion in partially denying Father's motion to alter or amend.

JUDGMENTS OF THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.