

Circuit Court for Baltimore City
Case No. 24-A-19-000009

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1491

September Term, 2020

IN RE: ADOPTION/GUARDIANSHIP OF
T.C.

Arthur,
Leahy,
Reed,

JJ.

Opinion by Reed, J.

Filed: December 29, 2021

This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

On May 1, 2019, Allen Bailey filed a petition for independent adoption of his stepdaughter, T.C. T.C. is an adult, born in 1978. Sharon Bailey is T.C.’s biological mother and Mr. Bailey’s wife. Mrs. Bailey supported Mr. Bailey’s petition and consented to the adoption. Tyrone E. Murray, Sr., appellant, is T.C.’s biological father. On January 29, 2020, Mr. Murray filed an answer, objecting to Mr. Bailey’s petition for adoption of T.C.

On October 2, 2020, the circuit court held a hearing on Mr. Bailey’s petition. All parties, including T.C., were present at the hearing. On October 2, 2020, the court granted Mr. Bailey’s petition for independent adoption. On October 8, 2020, the judgment of adoption was entered on the docket and notices were mailed to the parties. On November 12, 2020, Mr. Murray filed a notice of appeal.^{1 2}

Md. Rule 8-202(a) requires, with certain exceptions not relevant to this appeal, that a “notice of appeal [] be filed within 30 days after entry of the judgment or order from which the appeal is taken.” This timing requirement is mandatory. *See* Rule 8-602(b)(2) (“[t]he court shall dismiss an appeal if ... the notice of appeal was not filed with the lower court within the time prescribed by Rule 8-202”); *see also Rosales v.*

¹ The record shows that Mr. Murray sent a letter dated October 27, 2020 to the chambers of Chief Judge Carrión of the circuit court regarding a complaint of wrongdoing on the part of court officials. That letter does not reference or otherwise purport to be a notice of appeal of the adoption judgment.

² Mr. Bailey, Mrs. Bailey, and T.C. did not file briefs.

State, 463 Md. 552, 568 (2019) (“the thirty day requirement, while not ‘jurisdictional’ is a “binding rule on appellants.”).

The record reflects that the court entered the judgment of adoption on October 8, 2020. Accordingly, appellant’s notice of appeal was required to be filed by November 9, 2020. Because appellant did not file his notice of appeal until November 12, 2020, the notice was untimely, and we shall dismiss the appeal.

**APPEAL DISMISSED. COSTS TO
BE PAID BY APPELLANT.**