

Circuit Court for Wicomico County
Case No. C-22-FM-24-001088

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1543

September Term, 2025

LISA MESSICK

v.

CHRISTIAN MCDANIEL

Nazarian,
Reed,
Hotten, Michele D.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Hotten, J.

Filed: March 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 Maryland Rule 1-104(a)(2)(B).

This appeal arises from a custody dispute between Lissa Messick (“Appellant”) and Christian McDaniel (“Appellee”) regarding their biological daughter (the “minor child”). Throughout the entirety of this litigation, both parties have proceeded pro se. Following an emergency custody hearing requested by Appellee, the circuit court awarded Appellee with sole legal and physical custody based on a finding of alleged past neglect of the minor child on the part of Appellant. Alleging she no longer has “rights to [her] daughter,” Appellant filed this appeal arguing the court erred.

QUESTIONS PRESENTED

Appellant presents one question for our review, which we have rephrased for the sake of clarity¹ as follows:

Did the circuit court err in awarding custody to Appellee?

For the reasons outlined below, we determine the circuit court did not abuse its discretion in awarding custody to Appellee and affirm.

BACKGROUND

The parties share one minor child, born in 2022. No formal romantic relationship existed between the parties, and the minor child was conceived “after drinking.” For reasons that remain unclear, the parties’ relationship became strained, resulting in an inability to communicate effectively with one another. An instance of friction occurred in

¹ Rephrased from: The custody we have not [sic] being able to have rights to my daughter. Abuse of discretion & procedural errors, insufficient evidence.

July 2025, where despite assuring Appellee he could see the minor child, Appellant withheld the minor child for twenty-five days without explanation.

Since at least February 2025, the parties were living separately. Appellant was “living in a single wide [three-bedroom] trailer” with six other people, including her maternal aunt (who has autism) and her aunt’s two children. Appellant shared a room with the minor child, where they slept in separate beds. Appellant relied on her aunt, maternal grandmother, and boss’s wife to take the minor child to daycare due to her rigid work schedule as a custodian supervisor for the Wicomico County Public Schools.

Appellee owns a roughly 1,200 square foot home, where he resides with his fiancé. The minor child has her own bedroom. Appellee alleges he has flexible work hours while working for his stepfather.

Appellee initiated this present matter by filing a complaint for custody on December 9, 2024, alleging that Appellant’s exposure to domestic violence in her childhood has hindered her ability to grasp the impact of instances of domestic violence by relatives in the home against the minor child. Appellee asserts that the minor child has been subjected to domestic abuse by members of Appellant’s family and documented several instances. The first such instance occurred when Appellee observed Appellant’s father push her while holding the minor child during Thanksgiving 2024. In February 2025, Appellee noticed burn marks on the minor child’s left-hand pinky and ring fingers, legs, and feet. Finally, Appellee complained to the Wicomico County Department of Social Services that the minor child had “repeated diaper rash, lice, concerns regarding overall hygiene, and several unexplained injuries on her body (hands and feet) following a visit with [Appellant].”

On February 25, 2025, after witnessing burn marks on the minor child’s left-hand pinky and ring fingers, legs, and feet, Appellee requested an emergency hearing on custody and visitation. A merits hearing was scheduled for July 28, 2025, where eight witnesses testified regarding the parental fitness of the parties. During the hearing, Appellant alleged she did not know anything about the minor child’s burns but acknowledged it “could have happened in [her] care[.]” The hearing was eventually continued so that the circuit court could “explore obtaining CPA records.”

The circuit court resumed the hearing on August 22, 2025, but was cut short due to scheduling conflicts by the court. The circuit court subsequently awarded Appellee *pendente lite* sole physical and legal custody and continued the hearing to September 4, 2025.

The court concluded the merits hearing on September 4, 2025, determining it was in the best interest of the minor child to be removed from Appellant’s unsupervised care due to proven “abuse or [] neglect.” The court cited the following factors in reaching its decision: the nature of the minor child’s injuries; Appellant’s inability to explain these injuries; the minor child’s hygiene issues; Appellant’s living situation (residing with approximately “seven” people); Appellee owning his home; Appellant’s reliance on third parties for childcare; the parties’ inability to communicate with one another; Appellant’s decision to withhold the minor child from Appellee for 25 days; Appellant’s rigid work schedule; and Appellee’s flexible work schedule. Additionally, the court found Appellee was “diplomatic and respectful[.]” while Appellant exhibited a lack of patience. The court made no explicit finding on whether there was a likelihood of future neglect if the minor

child remained with Appellant, but noted custody may be restored to Appellant in the future if conditions were favorable. The court also noted that the minor child appeared to have a good relationship with both parents.

The court subsequently granted Appellee sole legal and physical custody on September 8, 2025 and supervised visitation for Appellant. On September 19, 2025, Appellant filed an appeal in light of the February 3, 2025, March 19, 2025, July 28, 2025, August 22, 2025, and September 4, 2025, orders.²

STANDARD OF REVIEW

“This court reviews child custody determinations utilizing three interrelated standards of review.” *Baldwin v. Baynard*, 215 Md. App. 82, 104 (2013). The standards of review are as follows:

We point out three distinct aspects of review in child custody disputes. When the appellate court scrutinizes factual findings, the clearly erroneous standard of [Rule 8–131(c)] applies. [Second,] if it appears that the [court] erred as to

² The February 3 order arose from the circuit court’s dismissal of Appellant’s complaint for custody in a different case, filed approximately one week after Appellee filed his complaint. Following a hearing on February 3, 2025, the circuit court issued an order transforming Appellant’s complaint into a counter-complaint within the present matter, which was entered into the docket on February 5, 2025.

The March 19 “order” refers to a settlement conference held on March 19, 2025, during which the parties were unable to reach an agreement. No order was issued.

The July 28 “order” refers to the custody hearing held on July 28, 2025. No order was issued that day. An order was entered the following day ordering the Wicomico County Department of Social Services to file a copy of the Investigation Summary Report relating to the minor child.

The August 22 order refers to the circuit court’s *pendente lite* custody order, which was ruled from the bench that day, and entered into the docket on August 25, 2025.

The September 4 order refers to the circuit court’s permanent custody order, which was ruled from the bench that day, and entered into the docket on September 8, 2025.

matters of law, further proceedings in the trial court will ordinarily be required unless the error is determined to be harmless. Finally, when the appellate court views the ultimate conclusion of the [court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [court's] decision should be disturbed only if there has been a clear abuse of discretion.

Id.

DISCUSSION

A. The Parties' Arguments

Appellant's complete argument is as follows:

“The judge misinterpreted or misapplied Maryland family law, like the factors for custody (e.g., parent's ability to co-parent, child stability) or the ‘best interests of the child’ standard.

Abuse of discretion: The judge's decision was arbitrary or unreasonable given the evidence presented, even if they had discretion.

Procedural Errors: The court failed to follow proper legal steps, such as improperly excluding a key witness, denying a chance to cross-examine, or not allowing crucial evidence.

Insufficient Findings of Fact: The judge's factual conclusions weren't supported by the evidence, or they failed to make adequate findings on important issues.

Violation of Due Process: Your fundamental right to a fair hearing was compromised.

While judges have broad discretion in custody matters, an appeal may be possible if the ruling was arbitrary, unreasonable, or not supported by the evidence presented at trial. This is a high standard to meet, as appellate courts give significant deference to the trial judges decisions. (yes) [sic]

Procedural Errors: The fairness of the trial was impacted because the court failed to follow required legal procedures, such as improperly admitting or excluding critical evidence, or denying a party their right to present their case or cross-examine a witness.

Insufficient Evidence: The trial court’s decision was not supported by the weight of the evidence presented during the trial. The appellant must show the decision was ‘clearly erroneous’ based on the facts in the record.”

For these reasons, Appellant requests “change of custody, redo visiting rights, have both parties agree to pay 1/2 on everyday [sic] and make decisions together.”

B. Analysis

As a preliminary matter, we address Appellant’s standing on appeal. Pursuant to Md. Rule 8-202(a), a notice of appeal must be filed within thirty days after the entry of the judgment or order from which an appeal is taken. On September 19, 2025, Appellant filed a Notice of Appeal challenging a series of events spanning from February to September 2025. Based on this September filing date, any judgment or order entered prior to August 20, 2025, fell outside the thirty-day appellate window. Accordingly, the appeal of the purported “judgments” from February 3, 2025, March 19, 2025, and July 28, 2025, appear to be untimely.

Assuming, *arguendo*, that the filings were timely, the record reflects that many of the dates relied on by Appellant do not correspond to appealable orders. For instance, the March 19 date refers to a settlement conference that yielded no order. While the court issued a ruling from the bench on August 22, this was a *pendente lite* order. Such orders are interlocutory in nature and, in this case, was rendered moot by the subsequent entry of a final custody order in September. *See Krebs v. Krebs*, 183 Md. App. 102, 109–10 (2008) (challenging the procedural validity of a *pendente lite* custody order is rendered moot once a plenary hearing on the merits has occurred).

Additionally, Appellant’s brief appears devoid of any concrete legal argument. *See* Md. Rule 8-602(c)(6) (citing Md. Rule 8-504(a)(6) (requiring briefs to have an “[a]rgument in support of the party's position on each issue.”). Here, Appellant presents generalized assertions regarding abuses of discretion, procedural deficiencies, insufficient findings of fact, and due process violations, without the specific legal or factual analysis necessary to sustain these claims. It is well settled that this Court is not required to scour the record to find support for arguments “completely devoid of legal authority[.]” *See Conrad v. Gamble*, 183 Md. App. 539, 569 (2008) (citation omitted); *Marquis v. Marquis*, 175 Md. App. 734, 758 (2007); *Anderson v. Litzenberg*, 115 Md. App. 549, 577–78 (1997), *cert. denied*, 368 Md. 239 (2002).

Here, the crux of Appellant’s appeal appears to be the change in custody. Since the September order constitutes the final custody order, we shall only determine whether the circuit court erred in issuing that order. Finding no such error, we affirm the lower court’s decision.

The primary and controlling factor in any custody or visitation case is the best interest of the child. *See Baldwin*, 215 Md. App. at 108. In applying this standard, the circuit court has the unique responsibility to evaluate the evidence, assess the specific family dynamic, and decide the most effective way to protect and provide for a child’s welfare. *See id.* Notably, a history of abuse “is clearly relevant to the best interests analysis[.]” *See id.*

Here, the record contains credible evidence supporting the court’s findings of abuse and neglect. The court noted that the minor child suffered “mysterious bruises, a busted lip

and also burns”—injuries the court described as visibly “painful.” Moreover, the court took issue with how Appellant failed to provide any “adequate explanation” for how these injuries occurred while the minor child was in her care.

Beyond these injuries, the record shows a pattern of medical and hygiene neglect. The minor child suffered from a lice infestation so severe it caused scabbing, along with persistent yeast infections and diaper rashes. Significantly, the court observed that these conditions “cleared up” once the minor child was placed in Appellee’s care, thereby lending support to how the health issues were a product of Appellant’s environment.

The court also appeared to focus on Appellant’s lack of “control over her own environment.” With at least six or seven people residing in the home, Appellant frequently left the child with family members who the court found were either “actively hurting the child” or allowing harm through “omission.”

The combination of documented physical trauma, untreated medical conditions, and an unsafe living environment confirms possible instances of neglect. Accordingly, awarding sole custody to Appellee was not an abuse of discretion under the circumstances presented.

CONCLUSION

For the reasons expressed previously, we affirm the judgment of the Circuit Court for Wicomico County.

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