

Circuit Court for Prince George's County
Case No. C-16-FM-24-008905

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1589

September Term, 2025

HERU MUHAMMAD EL

v.

TAMIESHA CHASE

Berger,
Shaw,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Berger, J.

Filed: February 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 its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This case arises following a challenge by appellant, Heru Muhammad El (“Father”), to the Circuit Court for Prince George’s County’s authority to exercise jurisdiction over Father. In November 2024, appellee Tamiesha Chase (“Mother”) filed a petition for custody of the parties’ daughter, S. Father then filed multiple motions to dismiss for, among other issues, lack of personal jurisdiction over Father and S. and lack of subject matter jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (“UCCJEA”).¹ Following a hearing in May 2025, at which Father was present, but still challenging jurisdiction, the circuit court denied Father’s motions and set a scheduling conference for September 2025. Father continued to assert errors by the circuit court and did not attend the September 2025 conference. Following the September 2025 conference, the court entered a scheduling order for a trial on the merits. This appeal followed.

QUESTIONS PRESENTED

Father presents two questions for our review, which we have recast and rephrased as the following single question:²

¹ The UCCJEA is codified in Maryland Code (1984, 2019 Repl. Vol.), Section 9.5-201 et seq. of the Family Law Article (“FL”). The UCCJEA determines the basis for jurisdiction in child custody disputes.

² Father phrased the questions as follows:

1. Did the lower court lack personal jurisdiction over the mother because she was never formally identified on the record at the jurisdictional hearing?
2. Did the Lower court lack subject matter jurisdiction under Maryland law (UCCJEA) because it failed to make findings on jurisdiction?

Whether the circuit court erred when it determined that it had jurisdiction to hear Mother’s petition for custody of S.

Although Father appeals the order entered following the September 2025 scheduling conference, the errors he alleges in his brief stem from the May 2025 hearing denying his motion to dismiss for lack of jurisdiction. We exercise our discretion to hear Father’s challenges to the May 2025 hearing. Finding no error by the circuit court, we affirm.

BACKGROUND

Mother and Father share one daughter, S., born March 2018. On November 8, 2024, Mother filed a petition for primary physical and sole legal custody of S. At the time the petition was filed, Mother declared that she and S. resided in Capital Heights, Maryland, and had lived at that address since October 2022. Mother listed Father’s address as in Upper Marlboro, Maryland. On November 13, 2024, the Circuit Court for Prince George’s County issued a writ of summons to Father. The writ provided: “You are summoned to file a written response by pleading or motion, within 30 days after service of this summons upon you, in this court, to the attached complaint filed by” Mother. On November 25, 2024, Father was personally served at the Upper Marlboro, Maryland address with the summons and a copy of the petition by a member of the Prince George’s County Sheriff’s office.

On January 23, 2025, following Father’s failure to file a response to the petition for custody, Mother requested an order of default. The request for an order of default noted that Father was served on November 25, 2024, but did not list Father’s address. Due to the failure to include Father’s address, the request for an order of default was denied.

On February 20, 2025, Father filed a motion to dismiss for lack of jurisdiction. In his motion to dismiss, Father cited federal law and argued that the Circuit Court for Prince George's County lacked jurisdiction to hear the custody dispute. Father additionally stated:

Under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), only the home State of the child can make an initial custody determination unless certain Exemptions apply. The child is not a ward of the state, and therefore, this court does not have jurisdiction to hear the custody dispute.

In support of his motion to dismiss, Father attached a document entitled "Aboriginal Baptismal Affidavit Record of Live Birth" recording S.'s birth in March 2018.

The matter was set for a hearing on May 2, 2025. On March 25, 2025, Mother filed an amended request for order of default which included Father's Upper Marlboro address. On April 21, 2025, Father filed a second motion, entitled "motion to challenge subject matter jurisdiction and to dismiss for lack of legal standing." In the motion, Father averred that S. "does not possess a state issued birth certificate as required under Maryland law for civil registration of birth." Father added that the "Aboriginal baptismal Affidavit Record of Live Birth was previously acknowledged and accepted by the Secretary of State office . . . [i]n lieu of a child birth record." Therefore, Father alleged, "Without a state issued civil-birth certificate or legal record, confirming the child civil identity, age, or legal parentage, the Court lacks a lawful foundation to assert subject matter jurisdiction under Maryland law or the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)."

Father proceeded to file numerous documents, all alleging, among other things, that the State of Maryland did not have personal jurisdiction over Father or S. and did not have subject matter jurisdiction over the matter under the UCCJEA. The matter proceeded to a hearing on May 2, 2025. The following ensued:

THE COURT: Very well, Mr. Muhammad-El. I received your motion to dismiss, and you attached several documents with it. And I wasn't sure exactly how they apply to this family matter, so I set it in for a hearing. So I'll hear you on your motion to dismiss.

[FATHER]: I just want to state, I'm Heru Muhammad-El, a living, breathing indigenous American national appearing specially, and not generally, do not consent to the jurisdiction of this Court. I do not waive, relinquish, or surrender any of my heritage, religious or constitutional rights by making this special appearance.

My presence is solely under threat, duress, and coercion for the limited and exclusive purpose of the challenge of this jurisdiction of this Court. I do not consent to these proceedings, and I challenge the Court's jurisdiction over my person and subject matter.

THE COURT: Very well. And I have entitled motion to dismiss for lack of jurisdiction. Is there anything else you want to add?

[FATHER]: No, ma'am.

THE COURT: Very well. Where was the child -- where does the child live now? Do you know?

[FATHER]: Hm?

THE COURT: Do you know where the child resides?

[FATHER]: She live domicile. She live on indigenous land. She's an indigenous child.

THE COURT: Yes, where? Indigenous people live all over the United States. Different parts. Do you know where the child lives?

[FATHER]: No, ma'am.

THE COURT: So you don't know if the child lives in Maryland?

[FATHER]: She don't.

THE COURT: But you said -- but you don't know where the child is? You said you don't know?

[FATHER]: No. The mother don't even live in Maryland.

THE COURT: Where's the mother live, sir?

[FATHER]: I have no idea. I'm just here to challenge the jurisdiction and the Court.

* * *

THE COURT: One moment, sir.

Ms. Chase, you can come forward. We're here on the motion to dismiss for lack of jurisdiction, and I asked the gentleman where the child resides. He said the child is indigenous and does not reside in the State of Maryland. . . .

And that you did not reside in the State of Maryland. I was just getting a copy of the -- the complaint that verifies that, in fact, you do reside in the State of Maryland; is that correct?

[MOTHER]: Yes, ma'am.

THE COURT: And the child resides in the State of Maryland?

[MOTHER]: Correct.

THE COURT: Very well. The Court notes that the State of Maryland does have jurisdiction over children who reside in the State of Maryland. The Plaintiff has filed the complaint and alleges that the child does reside in the State of Maryland. Is there anything else you would like to add, sir?

[FATHER]: Yes. Can she prove that she live in the State of Maryland?

THE COURT: Well, we're not -- we're here just on the motion to dismiss.

[FATHER]: Um-hum.

THE COURT: Okay. And the Court does have jurisdiction over -- now, you know, there's different forms of discovery. But the notice of today's hearing went to the address --

[FATHER]: Um-hum.

THE COURT: -- in Maryland and she has appeared. So is there anything else you'd like to add? The Court notes that the -- the Circuit Court in Maryland does have jurisdiction over family matters. I do find that the case was appropriately filed. The Court does have subject matter jurisdiction over this family matter. The motion to dismiss is denied. You're free to go. The matter will continue in the normal course.

So sir, you do have the opportunity to answer the complaint. If not, it will proceed by default.

Following the denial of his motion to dismiss, Father resumed filing motions challenging the court's jurisdiction. The court struck these filings because Father's motion to dismiss for lack of jurisdiction had been denied and the issue was moot. On June 12, 2025, due to Father's failure to file a responsive pleading to Mother's complaint, the court

entered an order of default against Father and ordered that the case be set for a merits hearing. On July 25, 2025, Father filed an answer to Mother’s petition for custody, although an order of default had been entered. Father continued to assert that the court lacked jurisdiction and objected to the scheduling hearing that was set for September 10, 2025. The scheduling conference was held on September 10, 2025. Father did not attend. The court entered a scheduling order for discovery and set a trial on the merits for December 15, 2025. On September 23, 2025, Father noted an appeal of the scheduling order.

STANDARD OF REVIEW

“The applicable standard of appellate review of the grant of a motion to dismiss for lack of personal jurisdiction is whether the trial court was legally correct in its decision to dismiss the action[.]” *Bond v. Messerman*, 391 Md. 706, 718 (2006). Additionally, “[w]e review *de novo* a circuit court’s decision to dismiss a complaint for lack of subject-matter jurisdiction.” *Phillips v. Chang*, 257 Md. App. 473, 477 (2023). *See also Cabrera v. Mercado*, 230 Md. App. 37, 80 (2016) (“Whether the trial court correctly asserted jurisdiction is an issue of statutory interpretation that we review *de novo* to determine whether the court was legally correct.”).

DISCUSSION

I. The circuit court properly denied Father’s motion to dismiss for lack of jurisdiction.

Father presents two arguments on appeal: first, that the failure to fully and formally identify Mother by her name, Tamiesha Chase, on the record means that the circuit court

did not have personal jurisdiction over Mother; and second, that the court lacks subject matter jurisdiction over the custody dispute because it failed to make a factual finding on the record “support[ing] Maryland as the home-state or appropriate forum,” as required by the UCCJEA.³

It is well settled that the State of Maryland exercises personal jurisdiction over its residents. The Maryland personal jurisdiction rule, Md. Code (1973, 2020 Repl. Vol.), § 6-102 of the Court and Judicial Proceedings Article (“CJP”), provides in pertinent part: “A court may exercise personal jurisdiction as to any cause of action over a person domiciled in, served with process in, organized under the laws of, or who maintains his principal place of business in the State.” *See also Pilkington v. Pilkington*, 230 Md. App. 561, 580 (2016) (considering jurisdiction in a custody dispute and acknowledging that “personal jurisdiction is not at issue in the instant action because the father resides in Maryland” and the mother failed to object and thus waived her right to appeal). At trial, Father objected to the circuit court’s personal jurisdiction over himself, but Mother clearly and unequivocally stated that she, and S., lived in Maryland. All documents that were submitted by Mother included her home address, located in Prince George’s County, Maryland. Mother has never disputed the court’s personal jurisdiction over her or S.

Nevertheless, Father argues that because Mother did not formally state her full name on the record, the court suddenly lacked jurisdiction. Indeed, this is inaccurate. Father

³ On appeal, Father has not raised the argument he promulgated at trial, that the circuit court lacked personal jurisdiction over Father. Father’s claims on appeal are only that the court lacked both personal jurisdiction over Mother and subject matter jurisdiction over the custody dispute itself.

cites no authority, and we are unable to find, any Maryland statutory or case law that supports his proposition that the court does not have personal jurisdiction over an individual who resides in the State of Maryland, has filed a complaint with the court, attended and participated in court proceedings, and whose only alleged error is that he or she did not fully state his or her formal name on the record during proceedings. Father claims that the court erred as it “never entered any findings establishing personal jurisdiction over [Mother].” Notably, the court is not required to do so, and did not err in not doing so.

Father does not reiterate on appeal his claims that the court does not have personal jurisdiction over him. Accordingly, we will not address them here, other than to note that that the court has personal jurisdiction to hear the custody dispute, and Father’s failure to raise the issue again here means he may not continue to maintain it below.

Father additionally appeals the circuit court’s subject matter jurisdiction. Father argues that the court did not make factual findings on the record to demonstrate that Maryland was the appropriate forum.

FL § 9.5-201 sets forth the grounds on which Maryland courts may exercise subject matter jurisdiction in child custody proceedings. A Maryland court has jurisdiction to make an initial child custody determination only if:

- (1) this State is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State;

(2) a court of another state does not have jurisdiction under item (1) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this State is the more appropriate forum under § 9.5-207 or § 9.5-208 of this subtitle, and:

- (i) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this State other than mere physical presence; and
- (ii) substantial evidence is available in this State concerning the child's care, protection, training, and personal relationships;

(3) all courts having jurisdiction under item (1) or (2) of this subsection have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine the custody of the child under § 9.5-207 or § 9.5-208 of this subtitle; or

(4) no court of any other state would have jurisdiction under the criteria specified in item (1), (2), or (3) of this subsection.

FL § 9.5-201(a)

At the hearing, Father claimed that S. was indigenous and therefore Maryland courts had no jurisdiction because she did not live in Maryland. On appeal, Father claims that “the court made no finding regarding UCCJEA jurisdiction,” and that “[n]o evidence was entered at the [May 2, 2025] hearing to support Maryland as the home-state or appropriate forum.” Yet, this is precisely what the circuit court did -- it inquired with Mother regarding where the child, S., lived. Because Mother affirmed that S. lived in Maryland, the court determined that as S.’s home state, Maryland had jurisdiction over the case. Father does not provide an alternative state that would be permitted to exercise jurisdiction instead of Maryland. Nor does Father point us to any statutory or case law to demonstrate that the

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State of Maryland does not have jurisdiction as S.'s home state. The circuit court, therefore, properly determined that it had subject matter jurisdiction over S.'s custody case pursuant to the UCCJEA.

CONCLUSION

Finding no error by the circuit court in its determination that it had personal and subject matter jurisdiction to hear Mother's petition for custody of S., we affirm.

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