

Circuit Court for Montgomery County
Case No. C-15-CV-23-000692

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 1600

September Term, 2024

PANAGIOTIS PETER PSALLIDAS

v.

FITZGERALDS LAKEFOREST
HYUNDAI-SUBARU, ET AL.

Graeff,
Zic,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

Opinion by Graeff, J.

Filed: July 7, 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 persuasive value only if the citation conforms to Md. Rule 1-104(a)(2)(B).

This appeal arises from a complaint filed by Panagiotis Peter Psallidas, appellant, a self-represented litigant, in the Circuit Court for Montgomery County, against Fitzgeralds Lakeforest Hyundai-Subaru (“Fitzgeralds”), appellees.¹ The complaint alleged, as pertinent to this appeal, that Fitzgeralds issued a false auto diagnosis connected with a replacement engine estimate that Fitzgeralds provided to Mr. Psallidas. The circuit court granted Fitzgeralds’ motion for summary judgment, ruling that, in a claim of negligence, a plaintiff must show damages caused by a breach of duty, and Mr. Psallidas failed to present any evidence of damages or causation.

On appeal, Mr. Psallidas raises three issues for this Court’s review,² which we have consolidated into the following question:

Did the circuit court err in granting Fitzgeralds’ motion for summary judgment?

For the reasons set forth below, we shall dismiss the appeal.

¹ Mr. Psallidas filed his original complaint on February 28, 2023. He filed an amended complaint on April 6, 2023, and a second amended complaint on May 24, 2023.

² The three issues listed by Mr. Psallidas in his informal brief are as follows:

1. False diagnosis
2. False affidavit made by Brett Davis
3. Bias ruling by [circuit court judge.]

None of Mr. Psallidas’ contentions address the court’s ruling that he failed to show damages sustained by Fitzgeralds’ conduct.

FACTUAL AND PROCEDURAL BACKGROUND

On March 28, 2022, Mr. Psallidas brought his vehicle, a 2015 Hyundai Veloster, to Fitzgeralds to inspect the engine to determine why it would not turn over. Mr. Psallidas informed the Fitzgeralds technicians that he initially took the vehicle to another shop, which removed the burnt starter and left it on the passenger seat.

The parties dispute what Fitzgeralds discovered during its inspection. The invoice noted that the engine was locked up and there was no oil on the dip stick. Despite this, another document form listed that the engine oil level was normal. On April 2, 2022, Fitzgeralds informed Mr. Psallidas that lack of oil caused the engine to lock up, and he would need a new engine. Fitzgeralds also advised that the factory warranty would not cover the repair because the vehicle exceeded Hyundai’s powertrain warranty time and milage restrictions.

On April 4, 2022, Mr. Psallidas contacted Hyundai to request good will assistance. Hyundai requested that Fitzgeralds obtain Mr. Psallidas’ maintenance records and provide information and photos related to its diagnosis of the vehicle. Mr. Psallidas maintained only handwritten notes of his oil change history. On April 25, 2022, Fitzgeralds uploaded the requested photos to the warranty claim portal. On May 17, 2022, Hyundai declined the warranty claim due to “failure being out of warranty caused by the time in service and mileage of the vehicle.”

Fitzgeralds advised that the cost to make the recommended repairs was \$9,887.11. Mr. Psallidas declined to make the repairs, and he had the unrepaired vehicle towed from Fitzgeralds' property.

On February 28, 2023, Mr. Psallidas filed his original complaint. On May 24, 2023, Mr. Psallidas filed a second amended complaint, the operative complaint here. He alleged, as relevant to this appeal, that Fitzgeralds provided him a false diagnosis.

On June 7, 2024, Fitzgeralds filed a motion for summary judgment. It attached a signed affidavit by Brett Davis, one of Fitzgeralds' service directors, stating that the drive belt was missing and there was no engine oil registering on the dip stick when it inspected the vehicle.

On June 12, 2024, Mr. Psallidas filed an opposition to the motion, attaching several documents, including: (1) a receipt dated March 25, 2022, from the mechanic's shop that serviced his vehicle immediately before Fitzgeralds, stating that it removed and replaced the vehicle's starter; (2) a document dated June 11, 2024, from the same shop, stating that, when the vehicle was brought in for repairs, there was engine oil and a drive belt in place; (3) Fitzgeralds' invoice; (4) the engine diagnosis section of the warranty application; and (5) a photo of the vehicle's belt.

On August 5, 2024, the circuit court held a hearing on Fitzgeralds' motion for summary judgment. After hearing from both parties, the court issued its ruling, as follows:

In order to state a claim for negligence, there has to be four elements established: that there was a duty of the defendant to the plaintiff, there was a breach of that duty, damages, and causation.

In this case, even if the court assumes there was a duty to the plaintiff by the defendant when the defendant took possession of the car, and even if there may have been a breach because they did not diagnose whether or not there was oil or lack of oil, there's still two elements that are missing, damages and causation.

The plaintiff has not been able to articulate what the damages caused by the diagnosis of no engine oil on the dipstick caused in this case, or that there was a causation between any damages and the missed diagnosis.

It's not as if they proceeded to repair the engine and then found - - or the car, and then found out that no, what they had thought was the problem wasn't the problem, and the car still didn't work. There's no evidence of that. There's no evidence that the plaintiff took the car someplace else, and because of the actions of the defendant he had to pay more than what was reasonable. There's no evidence of that.

So because the plaintiff ha[s] failed to rebut the defendant's motion for judgment by showing there's a material dispute as to damages and causation, the court must grant the defendant's motion for summary judgment.

On August 8, 2024, Mr. Psallidas filed a motion to reconsider, asserting that the decision was made without any evidence, a false affidavit had been filed, conflicting documents were before the court, and judicial bias existed. On September 20, 2024, the court denied Mr. Psallidas' motion.³

This appeal followed.

³ Mr. Psallidas subsequently sent correspondence to the administrative judge expressing his opposition to the court's ruling. He attached a copy of his opposition to Fitzgeralds' motion for summary judgment.

DISCUSSION

Mr. Psallidas, an unrepresented litigant who filed an informal brief, challenges the August 5, 2024 order granting Fitzgeralds' motion for summary judgment. We present, verbatim, his issues and supporting facts:

Issue 1. False diagnosis

Supporting Facts and Argument: defendants where order to do an auto diagnosis on plaintiffs 2015 Hyundai Veloster to verified the engine failure instead defendant made a false no oil in the deep stick with out any supporting document or service record also defendant provide as a defense statement to attorney general MS Linda Yenger that the engines drive belt is missing with no service record to prove so . On day one upon arrival service department provide customer (plaintiff) to sign an authorize form to allow to perform th[e] diagnosis on a forfeited entity Fitzgerald's lakeforest hyundai subaru. plaintiffs payment for the diagnosis went to lake forest hyundai also the no oil on the dip stick is under the forfeited entity.

Defendants service never provide an engine Fellure record at all .

Service manager bryan janders never provide any of the made up false allegation's to Hyundai motors asley calderon between april 02/2022 and 05/17/2022 .

Defendant also was got pay to remove the upper portion off engine under Hyundai motors warranty to take the requested photo's and restore the engine but they fail to do so by allowing the vehicle to be tow away with loose parts under the hood and missing parts.

Issue 2. False affidavit made by Brett Davis

Supporting Facts and Argument: mr brett davis sign the affidavit claiming as service director of Ifo inc by copying the fake made allegations no oil on the dip stick missing drive belt with no any document to prove so .

Also mr Brett Davis made up on the sign affidavit on paragraph #5 that the service department concluded do to no oil on the dip stick and the lack of oil the engine lock up and the company contacted mr psallidas to communicate the diagnosis a total false claim by Brett Davis . Defendants exhibit #1is proving other wise that the service advisor on april.2, 2022 bryan davis began a Commnication with ms Asley Calderon from hyundai motors untill may 17/2022 . With out any conclusion that the lock engine was due to the lack of oil. Or missing drive belt.

On april 24/2022 asley caldero directed the service advisor bryan janders to proceed to further diagnosis by removing the valve cover in case of poor Maintenance and provide the photos with out any poor oil Maintenance's therefore on April 27/2022 Hyundai issue a rental car to plaintiff till may 17/2022.pay under the auto warranty as exhibit #3 is proving
The service department never made up a final conclusion about the engine Felle Till this date of january second of 2025 hyundai motors is claiming the service department never provide a cause of the lock up engine. And the vehicle needs to go back to a different Hyundai dealer to determent the actual cause.

Issue 3.bias ruling by [the circuit court judge]

Supporting Facts and Argument: [the judge] fail to question the defense Councell who is the mechanic that made the false alegation no oil on the dip stick .why no record existed judge was holding plaintiff exhibit d showing belt was on the engine. Why judge fail to acknowledge plaintiffs exhibit B showing oil level normal why judge made a claim that only two of the four plaintiff exhibits where on file and four needed to rule in favor of the plaintiff.

At the courts file record all four exhibits are existed

And finally why judge made a claim that all the false allegation's where a mistake. Also[the judge] claim that she was unable to read defendant exhibit #1 that was contradicting all the defendants false allegations ??????

Plaintiff did provide the exact copy readable but judge fell to do so.

Mr. Psallidas filed an informal brief, but this Court has authorized informal briefs to be filed only: (1) in cases filed by incarcerated individuals, foreclosure cases, and family law cases; or (2) in other cases involving unrepresented parties if authorized by this Court on motion or the Court's own initiative. Appellate Court of Maryland, Admin. Order (Dec. 19, 2022).⁴ Although informal briefs dispense with some of the technical requirements of a formal brief, the informal brief “must identify issues that explain why the trial court erred

⁴ The Administrative Order can be found on the Appellate Court's website and here: <https://perma.cc/8UKU-WUTL>.

or made a mistake in deciding the case and why the decision should be reversed or modified.” Guidelines for Informal Briefs (b)(2).⁵

This case arises from a negligence claim, and Mr. Psallidas does not represent that he is incarcerated, Mr. Psallidas did not file a motion seeking authorization to file an informal brief, and this Court did not authorize it on its own initiative. Accordingly, the appellant was not authorized to file an informal brief in this case, and Mr. Psallidas’ brief is subject to the requirements of Maryland Rules 8-501 through 8-504. Even pro se litigants must obey the procedural rules. *In re Joshua W.*, 94 Md. App. 486, 491 (1993).

Initially, we note, as Fitzgeralds points out, that Mr. Psallidas failed to file a record extract as required by Maryland Rule 8-501(a). *See* Md. Rule 8-501(c) (appellant must prepare and file a record extract containing “all parts of the record that are reasonably necessary for the determination of the questions presented by the appeal”).⁶ This Court has discretion to dismiss an appeal if “the style, contents, size, format, legibility, or method of

⁵ The Guidelines for Informal Briefs can be found on the Appellate Court’s website and here: <https://perma.cc/5NT5-PNEY>.

⁶ Fitzgeralds states that, because Mr. Psallidas failed to file a record extract as required by Maryland Rule 8-501(a), it was required to prepare and file an appendix. It requests that this Court enter an order requiring Mr. Psallidas to pay the costs associated with producing the appendix. Pursuant to Maryland Rule 8-501(m), an appellate court may require an unrepresented appellant to pay all or part of the cost of printing the extract if the party fails to comply with the rule. *Accord Dixon v. DeLance*, 84 Md. App. 441, 447-48 (1990) (appellants required to pay the cost of printing appellees’ appendix because appellants filed an inadequate record extract), *cert. denied*, 321 Md. 501 (1991). We shall exercise our discretion to order Mr. Psallidas to pay the cost of printing Fitzgeralds’ appendix.

reproduction of a brief, appendix, or record extract does not comply with Rules 8-112, 8-501, 8-503, or 8-504.” Maryland Rule 8-602(c)(4)-(6).

Moreover, Mr. Psallidas’ five-page brief does not cite to any authority to support his argument that the court erred. It “is not our function to seek out the law in support of a party’s appellate contentions.” *Benway v. Md. Port Admin.*, 191 Md. App. 22, 32 (2010). *Accord Ubom v. SunTrust Bank*, 198 Md. App. 278, 285 (2011); *Higginbotham v. Pub. Serv. Comm’n of Md.*, 171 Md. App. 254, 268 (2006) (declining to consider argument that was not supported by citation to legal authority).

Additionally, Mr. Psallidas failed to comply with Md. Rule 8-504(a)(4), which requires the brief to contain a “clear concise statement of the” material facts, with reference to pages of the record extract supporting the assertions. None of Mr. Psallidas’ allegations are supported by citations to the record. This Court has explained that we “cannot be expected to delve through the record to unearth factual support favorable to [the] appellant.” *Rollins v. Capital Plaza Assocs.*, 181 Md. App. 188, 201, 203 (dismissing appeal where appellant failed to provide sufficient reference to pages in the record extract supporting the facts asserted), *cert. denied*, 406 Md. 746 (2008). *Accord Reynolds v. Reynolds*, 216 Md. App. 205, 225–26 (2014) (“[We] shall not comb through the 2,904 pages of extract in this case—much less the record itself—in order to find factual support for appellant’s alleged point of error.”).

Dismissing an appeal based on an appellant’s violation of the appellate procedural rules “is considered a ‘drastic corrective’ measure.” *Rollins*, 181 Md. App. at 202.

Nevertheless, as in *Rollins*, this appeal presents multiple and substantial violations of the appellate procedural rules. *Id.* at 203. Based on Mr. Psallidas’ failure to provide factual or legal support for his arguments, this Court shall dismiss the appeal pursuant to Maryland Rule 8-602(c)(6).⁷

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

⁷ Although we are dismissing the appeal, we note that appellant does not appear to challenge the circuit court’s ultimate decision that he failed to show damages caused by Fitzgeralds.