

Circuit Court for Prince George's County  
Case No. C-16-FM-25-811515

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 1737

September Term, 2025

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IBRAHIM SESAY

v.

MAJDOULINE AJNAKANE

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Arthur,  
Tang,  
Beachley, Donald E.  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Arthur, J.

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Filed: June 17, 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).

At the request of Majdouline Ajnakane (“Wife”), the Circuit Court for Prince George’s County entered a final protective order against Ibrahim Sesay (“Husband”). Husband appealed. Finding no error or abuse of discretion, we shall affirm the judgment of the circuit court.

### **BACKGROUND**

The parties were married in 2021 and have a son (“Child”). In September 2025, when Child was four years old, Wife initiated this case by filing a petition for protection from domestic violence against Husband. On September 26, 2025, the circuit court held a hearing, at which it heard testimony from Wife, Husband, and Husband’s mother.

At the hearing, Wife testified to emotional and verbal abuse by Husband. She asserted that in February 2022, when Child was a year old, Husband moved to Africa. Husband told Wife that while he was away she had to cook and clean for his mother, who lived in the marital home, and transport her to appointments. Husband said that if Wife did not do as he directed, he would “kill” or “deport” her. Husband threatened to divorce Wife and told her that she would “never see [her] son again”; that he would kill her with guns that he owned; and that because she was not a United States citizen, “nobody is going to know about it[.]”

Wife testified that Husband had been physically abusive on two occasions. In 2022, Husband hit a wall instead of punching her face. In 2024, after Wife discovered that Husband had been having an affair in Africa, he took his phone from her hands and slapped her.

In December 2024, Wife and Child left the marital home and relocated to Minnesota. They lived with Wife’s friend before Wife rented her own apartment. Although Wife was employed while she was in Minnesota, she could not afford the apartment.

In September 2025, Wife told Husband that she and Child needed to return to the marital home. Husband responded that he would kill her if she returned. Wife contacted domestic abuse organizations, filed for the protective order in this case, and returned to the marital home. In her petition for protection from domestic violence, Wife asserted that the marital home in Clinton, Maryland, was worth \$750,000.00.

After Wife filed for the protective order, law enforcement officers visited the marital home to oversee the removal of Husband’s belongings. During that visit, Wife discovered that Husband owned eight firearms.

Husband testified that he never threatened or abused Wife and that if he “were to have ever slapped . . . [her], there would be marks because of her complexion.” He asserted that he was the main provider for the family and that he works in Africa for his parents’ business. He testified that, although he lived in Africa, he would return to the marital home every two months. He claimed that he encouraged Wife to go to school and said that he would pay “for all of it[.]” He also claimed that, when Wife once asked him for \$4,000.00 to begin a cosmetics advertising company, he gave it to her “within a month.”

Husband’s mother testified that she never witnessed any violence or heard Husband threaten Wife.

During Ms. Sesay’s testimony, Wife’s counsel notified the court that Husband was “communicating with his mom with hand signals.” The judge admonished Husband not to give his mother signals and announced that she (the judge) would “stand up to watch the whole courtroom.”

At the conclusion of the hearing, the court orally granted Wife’s petition for a protective order. In explaining the basis for its decision, the court said that it found Husband not credible. The court noted that Husband’s attorney at one point “shook [his] head” and “coughed to get [him] to stop testifying.” In addition, the court noted that Husband was “trying to help [his] mother testify on [his] behalf by sending her finger signals while she was on the stand to help her testimony[.]”

The court took note of Husband’s testimony that if he had hit Wife, he would leave marks “because of her complexion.” In the court’s view, Husband’s statement indicated a belief that he would “be able to hide” a blow to Wife and a belief that he would be justified if he were to hit her.

Additionally, the court found that:

[Husband] threatened to kill [Wife] because he has guns. [Wife] feels fearful. [Wife] says that he has threatened—would threaten to have her deported, that she is scared[,] that back in September of 2024 he slapped her when she confronted him about his infidelity in Africa. There is a history of domestic violence in 2022. He punched a wall near [Wife’s] face. She is terrified.

Finally, the court found that Wife “cannot afford the apartment that she had for her and her son, so she moved back to the marital home[,]” but that Husband “threatened to kill her for moving back.”

The court entered a final protective order in Wife’s favor and awarded her \$1,100.00 in monthly emergency family maintenance until the order’s expiration in September 2026.

Husband timely noted the instant appeal.

### **QUESTIONS PRESENTED**

On appeal, Husband poses two questions

- I. Did the trial court abuse its discretion and err by awarding Emergency Family Maintenance without considering the financial needs of [Wife] and the resources available to both parties, as required by Maryland Code, Family Law § 4-501(g)?
- II. Did the trial court err by basing its rulings solely on a credibility determination unsupported by the evidence and by making factual findings not in the record?

For the reasons stated below, we shall affirm the judgment of the circuit court.

### **STANDARD OF REVIEW**

“When reviewing the issuance of a final protective order, we accept the circuit court’s findings of facts, unless they are clearly erroneous.” *C.M. v. J.M.*, 258 Md. App. 40, 58 (2023). “We ‘must consider evidence produced at the trial in a light most favorable to the prevailing party[.]’” *Id.* (quoting *Friedman v. Hannan*, 412 Md. 328, 335 (2010)). “‘If there is any competent evidence to support the factual findings below, those findings cannot be held to be clearly erroneous.’” *Friedman v. Hannan*, 412 Md. at 335-36 (quoting *Solomon v. Solomon*, 383 Md. 176, 202 (2004)).

“We defer to the trial court’s credibility determinations because it ‘has the opportunity to gauge and observe the witnesses’ behavior and testimony during the

trial.” *C.M. v. J.M.*, 258 Md. App. at 58 (quoting *Barton v. Hirshberg*, 137 Md. App. 1, 21 (2001)). “It is ‘not our role, as an appellate court, to second-guess the trial judge’s assessment of a witness’s credibility.’” *Id.* (quoting *Gizzo v. Gerstman*, 245 Md. App. 168, 203 (2020)). In reviewing the trial court’s “ultimate conclusion, ‘we must make our own independent appraisal by reviewing the law and applying it to the facts of the case.’” *Id.* (quoting *Piper v. Layman*, 125 Md. App. 745, 754 (1999)).

## DISCUSSION

### **I. The court did not abuse its discretion in awarding emergency family maintenance to Wife.**

Husband asserts that the court abused its discretion “by awarding emergency family maintenance without considering the financial needs of [Wife] and the resources available to both parties[.]” He maintains that there was no testimony regarding various financial considerations such as “housing costs, utilities, food, transportation, medical expenses, or any other cost of living consideration[.]” and that the court thus “fail[ed] to consider factors [that] it [wa]s statutorily required to consider[.]” Wife disagrees and asserts that the court “considered evidence of the financial resources and needs of the parties” and properly concluded that Husband had the means to pay emergency family maintenance.

When entering a final protective order, the court may award “emergency family maintenance as necessary to support any person eligible for relief to whom the respondent has a duty of support under this article[.]” Md. Code (1984, 2019 Repl. Vol.), § 4-506(d)(9) of the Family Law (“FL”) Article. Emergency family maintenance is

defined as “a monetary award given to or for a person eligible for relief to whom the respondent has a duty of support under this article based on: (1) the financial needs of the person eligible for relief; and (2) the resources available to the person eligible for relief and the respondent.” FL § 4-501(g). The goal in fashioning relief “is to do what is reasonably necessary—no more and no less—to assure the safety and well-being of those entitled to relief.” *Katsenelenbogen v. Katsenelenbogen*, 365 Md. 122, 137 (2001) (emphasis omitted).

As Wife observes, the statute, by its terms, does not require a court to make any specific financial calculations. Instead, a court’s decision is adequate if it is merely “based on” the parties’ financial resources and needs. *See FL § 4-501(g)*.

We are unpersuaded by Husband’s contention that the court “fail[ed] to consider factors [that] it [wa]s statutorily required to consider” in awarding emergency family maintenance. Wife’s undisputed testimony was that, although she worked two jobs, she was unable to support herself and Child and that she had to move back into the marital home despite Husband’s threats. Husband’s undisputed testimony was that he was the main provider for Wife and Child, while also supporting his mother, that he was able to afford trips to and from Africa every two months, and that he was able to give Wife \$4,000.00 within one month when asked.

As Wife argues in her brief, this evidence “paints a vivid picture of a woman whose expenses far outweighed her income, and who would be unable to support herself and her child without financial support.” In addition, the evidence supports a finding that Husband had more than enough in resources to pay \$1,100.00 a month (or \$13,000.00 a

year)—a sum that, Wife observes, is “substantially less [than] the federal poverty guideline of \$21,640 for a family of two.”

In summary, although the court’s explanation of its decision could certainly have been more thorough, we disagree that the court did not adequately consider Wife’s financial needs and the resources available to the parties before awarding emergency family maintenance.

**II. The court neither abused its discretion by making credibility determinations nor clearly erred in making factual findings.**

Husband asserts that the court erroneously “based its ruling almost entirely on its conclusion that [Husband] was not credible, rather than on affirmative evidence[.]” He contends that both allegations of physical abuse were “temporally remote” and lack corroboration. He also contends that the court “failed to reconcile significant inconsistencies in [Wife’s] testimony and conduct[.]” including Wife’s return to the marital home despite her assertion that she was fearful of Husband. Finally, he challenges the court’s findings concerning his firearms, pointing to Wife’s testimony that she had never seen his guns before she filed the petition for a protective order. Wife responds that the trial court made appropriate factual findings after crediting her testimony and properly finding Husband’s testimony not credible.

A judge may grant a request for a final protective order after finding, by a preponderance of the evidence, “that the alleged abuse has occurred[.]” FL § 4-506(c)(1)(ii). The term “abuse” includes an act placing another “in fear of imminent serious bodily harm[.]” FL § 4-501(b)(1)(ii). “In determining whether to issue a

protective order, the judge should consider not only evidence of the most recent incident of abuse, but prior incidents which may tend to show a pattern of abuse.” *Coburn v. Coburn*, 342 Md. 244, 257 (1996).

Husband is correct that “[n]egative credibility determinations—alone—are never enough to sustain a party’s burden of proof.” *Clarke v. Gibson*, 492 Md. 557, 589 (2025). Here, however, we disagree that the court relied solely upon negative credibility determinations in granting Wife’s petition. In addition to its credibility findings, the court relied upon Wife’s testimony, which disclosed a pattern of abuse involving physical abuse, as well as threats of violence, deportation, and losing her son. Wife testified that she was afraid of Husband, that she felt “scared and traumatized[,]” and that she was concerned about calling the police because of Husband’s warnings that she would be deported. When asked if she believed the pattern of abuse would continue, Wife responded resolutely:

[WIFE’S COUNSEL]: Do you believe this will continue to happen if the Court doesn’t get involved?

[WIFE]: It is going to continue to happen.

Simply put, the record supports a finding that Husband’s actions placed Wife in fear of imminent serious bodily harm.

That the incidents of physical abuse were “temporally remote” does not alter our conclusion regarding the pattern of abuse in the record before us. *See Coburn v. Coburn*, 342 Md. at 257. Nor does the lack of corroborating evidence. “In its assessment of the credibility of witnesses, the Circuit Court was entitled to accept—or reject—*all, part, or*

*none* of the testimony of any witness, whether that testimony was or was not contradicted or corroborated by any other evidence.” *Omayaka v. Omayaka*, 417 Md. 643, 659 (2011) (emphasis in original).

Nor are we persuaded that Wife’s need to return to the marital home indicates “inconsistencies” in her conduct or testimony. Wife left the marital home with Child after the second incident of physical abuse. She spent nine months providing for herself and Child in Minnesota before acknowledging that, even though she was working two jobs, she was unable to provide Child with the support he needed. We see no reason to second-guess the trial judge’s assessment of credibility under these circumstances. *C.M. v. J.M.*, 258 Md. App. at 58.

Finally, we disagree that the court made clearly erroneous factual findings regarding Husband’s firearms. Wife testified, and Husband did not dispute, that Husband owned eight firearms. That Wife had not seen the guns before she filed the protective order is immaterial. Wife testified that Husband had threatened to kill her with his guns and declared that because of her citizenship “nobody is going to know about it[.]” “The reasonableness of an asserted fear emanating from [abusive] conduct or communication must be viewed from the perspective of the particular victim.” *Katsenelenbogen v. Katsenelenbogen*, 365 Md. at 139. “Any special vulnerability or dependence by the victim, by virtue of physical, mental, or emotional condition or impairment, also must be taken into account.” *Id.*

In short, the court’s factual findings and credibility determinations were supported by the record.

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