Circuit Court for Prince George's County
Case No. C-16-FM-24-006067

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1842

September Term, 2025

EMMANUEL IFEAGWU

v.

CHIDINMA IFEAGWU

Graeff,
Friedman,
Woodward, Patrick L.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Friedman, J.

Filed: June 2, 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).

In this appeal, appellant Emmanuel Ifeagwu (Father), representing himself, challenges the division of marital property and custody award ordered by the Circuit Court for Prince George's County in his divorce from appellee Chidinma Ifeagwu (Mother). For the reasons that follow, we affirm the decision of the circuit court.

BACKGROUND

Mother and Father were married on April 9, 2016, in Nigeria. The parties have three children: NK, born in April 2018; K, born in November 2021; and N, born in August 2024. After they married, Mother, who is a U.S. citizen, sponsored Father for his green card and they moved to the United States and settled in Maryland.

After Father became a United States citizen in March 2021, he began verbally abusing Mother and obsessively accusing her of infidelity with any nearby man, including neighbors, co-workers, repairmen working at the house, and even Uber drivers. Eventually, the relationship degraded to the point that Father moved into the guestroom. When Mother discovered that she was pregnant with the parties' third child, Father publicly denied that the baby was his.

Mother filed a complaint for absolute divorce on July 30, 2024, and Father filed his cross-complaint on September 3, 2024. At the end of September 2024, Mother took the children and moved out of the house to get away from Father's verbal abuse and disruptive behavior. Shortly thereafter, Mother filed a petition for protection from domestic violence. The court granted Mother a temporary protective order and ordered Father to vacate the house. Mother then returned with the children. The court later entered a final protective order that extended through November 22, 2025.

In March 2025, the parties proceeded to trial on their cross-petitions for divorce. Mother was represented by counsel and Father was self-represented. Throughout the proceedings Father asserted that N was not his child, demanded that the court order paternity testing immediately, and objected to proceeding until paternity was established. The trial court treated Father's repeated objections as motions for a continuance, which the court repeatedly denied. Despite the trial court's rulings and instructions, Father continued to disrupt the proceedings by asserting that N was not his child and that paternity testing was necessary. Paternity testing ultimately confirmed that he was N's Father.

At a disposition hearing, the trial court awarded Mother primary physical and sole legal custody, with supervised visitation for Father and court ordered reunification therapy with all three children. The trial court found that, based on the limited evidence of assets and property presented, only the house in which the parties had lived and a portion of Mother's Thrift Savings Plan were marital property subject to division. The trial court found that an equitable distribution was appropriate and awarded Mother two-thirds of the value of each and granted Father a monetary award equal to the remaining one-third. The trial court also awarded Mother use and possession of the house for three years, awarded Mother attorney's fees, and ordered Father to pay child support.

DISCUSSION

Father now appeals, arguing that the trial court erred by: (1) not dividing Mother's military pension as marital property; (2) failing to make the findings necessary to award attorney's fees; (3) imputing an income to him for purposes of calculating child support; (4) relying on insufficient evidence to calculate the monetary award; (5) failing to support

its custody award with necessary factual findings; and (6) violating his due process rights by not adequately accommodating his decision to represent himself. We address each in turn.

I. PENSION

Mother has a military pension that was not part of the court's division of marital property. In his first issue, Father argues that the monetary award must be vacated and remanded because the trial court failed to "identify, classify, and consider" Mother's military pension. We conclude, however, that Father has waived any error with regard to Mother's pension.

As a general rule, an appellate court will not decide an issue "unless it plainly appears by the record to have been raised in or decided by the trial court." MD. RULE 8-131(a); *Mezu v. Mezu*, 267 Md. App. 354, 386 (2025). Thus, before we can consider whether the trial court erred by not including Mother's pension in the division of marital property, the record must plainly show that the issue was either raised or decided by the trial court.

Our review of the record, however, shows that at no time did Father identify Mother's pension as marital property or request that it be divided. Indeed, the only mention of the military pension that we have found was during Mother's opening argument and closing statement, during which she argued that under federal law the pension was not marital property subject to division because the parties had not been married for the

required ten years.[1] In neither instance did Father object to or dispute Mother's argument. Regardless of whether Mother's assertion was accurate, Father never asked the trial court to address it and thus waived his right to challenge it. *See, e.g.*, *Steinhoff v. Sommerfelt*, 144 Md. App. 463, 483 (2002). As a result, this argument is not preserved for appellate review.

II. ATTORNEY'S FEES

In his second issue, Father argues that the trial court erred in awarding Mother $15,000 in attorney's fees without making the required findings as to necessity, reasonableness, and Father's ability to pay. The record does not support his argument.

The decision to award attorney's fees rests solely in the discretion of the trial court. *Collins v. Collins*, 144 Md. App. 395, 447 (2002); *Petrini v. Petrini*, 336 Md. 453, 468 (1994). There are no magical words that a trial court must recite when making the award. *Collins*, 144 Md. App. at 447. Nonetheless, it must be clear from the record that the trial court considered the required statutory criteria in light of the facts of the case. *Id*. We will not disturb the trial court's ruling unless the award was arbitrary or clearly wrong. *Id*.

[1] In Mother's Maryland Rule 9-207 Statement of Property, she listed only the Thrift Saving account and the house as marital property. In Father's 9-207 statement, Father listed those assets as well several bank accounts (discussed *infra*, note 2) and a "retirement" account as marital assets. He did not specify what type of retirement account. We are not persuaded that this ambiguous reference was enough to put the court on notice that Father sought the division of Mother's military pension. MD. RULE 8-131(a). Moreover, even if it had been, Father's failure to say anything at all when Mother mentioned the pension would have nonetheless served as a waiver.

The Family Law article provides for the recovery of attorney's fees under three provisions applicable here. *See* MD. CODE, FAMILY LAW ("FL") § 7-107 (recovery of fees in divorce proceedings); FL § 8-214 (recovery of fees in marital property division proceedings); FL § 12-103 (recovery of fees in child custody, support or visitation proceedings). Although Father does not point to a specific provision, all three require the court to consider the necessity and reasonableness of the fee award, and the financial resources of the parties. *See* FL §§ 7-107(a), (b); 8-214(c); 12-103(b).

First, Father is incorrect that the trial court failed to explain how his actions made the award of attorney's fees necessary. The trial court specifically explained that it was awarding attorney's fees to Mother due to "what [had] transpired over the course of this case, having to come back on more than one occasion, some of which [was] due to [Father's] noncompliance with the court's order." And indeed, the record shows that among other things, Father failed to follow the trial court's instructions, repeatedly reargued issues that the trial court had clearly decided, and at times outright refused to participate, all of which caused significant frustration and delay and unnecessarily increased Mother's legal fees. It is quite clear why the trial court found the award of attorney's fees to be necessary.

Next, it is clear from the record that the trial court specifically considered the reasonableness of the amount of attorney's fees it awarded. Mother's request for attorney's fees included an affidavit that itemized the work done on Mother's behalf and listed the hourly rate. Mother testified that the fees were exclusively for work done on her behalf in the divorce case and did not include any fees or expenses related to the domestic violence

case or to Father's two appeals. In determining the amount of the fee award, the trial court considered the affidavit and testimony and specifically noted that, due to the proceedings taking far longer than anticipated, Mother had accrued additional legal fees not accounted for in her original request. Although the trial court did not use the term "reasonable," it is nonetheless apparent from the record that the trial court considered what would be a reasonable award in light of the circumstances of the case.

Finally, although Father asserts that it was unreasonable for the trial court to make him pay Mother's attorney's fees when he didn't have enough money to pay an attorney for himself, we note that it is not apparent from the record that Father decided to represent himself due to a lack of funds. The record shows that Father was represented by counsel in early stages of the case, and there is no explanation given as to why Father chose to discharge his attorney and represent himself instead. Moreover, as we discuss in the next section, the trial court found Father's testimony about his financial circumstances and income to not be credible, imputed an income based on an implicit finding that he was voluntarily impoverished, and found that Father's income was likely to increase significantly in the near future. It is thus apparent from the record that the trial court did consider Father's ability to pay and was persuaded that Father had sufficient resources.

There is evidence in the record showing that the trial court considered the statutory factors in light of the circumstances of the case, and exercised its discretion to decide an appropriate award that was neither arbitrary nor clearly wrong. We see no cause to disturb that judgment.

III. IMPUTED INCOME

Next, Father argues that the trial court erred in imputing income to him equivalent to the federal minimum wage for purposes of calculating child support without making an explicit finding that his unemployment was voluntary. We disagree.

We review the trial court's determination of a child support obligation for abuse of discretion. *Gladis v. Gladisova*, 382 Md. 654, 665 (2004). We will not disturb that discretionary decision so long as "the trial court's findings of fact are not clearly erroneous and the ultimate decision is not arbitrary." *Kaplan v. Kaplan*, 248 Md. App. 358, 385 (2020) (cleaned up). A trial court's findings are only clearly erroneous if, after viewing the record in the light most favorable to the prevailing party, they are not supported by competent evidence. *Anderson v. Great Bay Solar I, LLC*, 243 Md. App. 557, 606 (2019).

A parent's child support obligation is calculated based on their income. FL § 12-204(a)(1). If the trial court finds that a parent is voluntarily impoverished, "child support may be calculated based on a determination of potential income" imputed to the parent. FL § 12-204(b)(1)(i). A parent may be considered voluntarily impoverished when they have "'made the free and conscious choice, not compelled by factors beyond his or her control, to render himself or herself without adequate resources.'" *Digges v. Digges*, 126 Md. App. 361, 381 (1999) (quoting *Goldberger v. Goldberger*, 96 Md. App. 313, 327 (1993)). Factors relevant to voluntary impoverishment include, but are not limited to, the parent's physical condition, level of education, timing of any change in financial circumstances, efforts to find and retain employment, work history, status of the job market, and whether the parent has withheld support in the past. *Durkee v. Durkee*, 144 Md. App. 161, 183-84

(2002); *Goldberger*, 96 Md. App. at 327. Contrary to Father's assertion, a finding of voluntary impoverishment need not be explicit. Rather, a finding of voluntary impoverishment can be implicit so long as there is adequate support in the record. *Durkee*, 144 Md. App. at 183.

Here, although the trial court did not make an explicit finding that Father was voluntarily impoverished, there is sufficient evidence in the record to support the implicit finding of voluntary impoverishment that necessarily accompanied the trial court's decision to impute income to Father.

At trial, Father himself testified that he had been an architect for many years and had his own successful architecture firm in Nigeria before moving to the United States. Father also testified that he was still licensed as an architect, but was currently unemployed and attending school. He stated that he had recently received his Master's degree and was working on earning a Ph.D. On his financial statement, Father claimed $4,650 in monthly expenses and asserted to the court that he relied solely on gifts from friends to support himself.

Despite being a licensed architect and having at least one graduate degree, evidence showed that Father made only minimal and sporadic financial contributions throughout the marriage. He held five different jobs over the six years preceding the breakup of the marriage. Although there was little testimony regarding the type of jobs Father held, he asserted that his last position was "with the State" and he had to leave it due to the protective order. Mother testified that at one point Father had been earning approximately $50,000 per year, but she was generally unaware of his income.

In discussing Father's financial resources and employment generally, the trial court noted that Father was highly educated and there was no apparent reason that he was not or could not be employed. Moreover, the trial court explicitly found Father's testimony that he was able to meet his expenses based solely on gifts from friends and family, to not be credible. But even accepting that Father was unemployed at the time of trial, the trial court found that considering the graduate degrees he was earning, it expected Father's income would increase considerably in the near future.

It is clear from the trial court's findings that it believed Father had financial resources that he had not disclosed to Mother or the court, and that Father had the ability to be gainfully employed but was choosing not to pursue those opportunities. That is precisely the definition of voluntary impoverishment. FL § 12-201(q) ("'Voluntarily impoverished' means that a parent has made the free and conscious choice, not compelled by factors beyond the parent's control, to render the parent without adequate resources."). Because an implicit finding of voluntary impoverishment is supported by evidence in the record, it was not an abuse of discretion for the trial court to impute an income to Father for purposes of calculating child support.

IV. EQUITABLE DISTRIBUTION

Next, Father argues that the trial court erred in its calculation of his monetary award. Specifically, Father asserts that there was insufficient evidence to support the trial court's

finding as to the market value of the marital home because the trial court relied only on Mother's opinion.[2] We disagree.

The evidence at trial showed that although the house was purchased during the marriage and was thus marital property, the mortgage was in Mother's name only and Mother had been solely responsible for maintaining the house and for making the mortgage payments during and after the marriage.

In their 9-207 statements, Mother and Father disagreed on the estimated market value of the marital home. Mother asserted that the value of the house was $330,000 with $230,777 remaining on the mortgage. Father asserted that the value of the house was $426,000 with an encumbrance of only $182,783. The trial court accepted Mother's valuation of the house and the amount due on the mortgage because "an owner of property is presumed to be qualified to testify as to [their] opinion of the value of property [they own]." *Colonial Pipeline Co. v. Gimbel*, 54 Md. App. 32, 44 (1983); *see also Abdullahi v. Zanini*, 241 Md. App. 372, 413 (2019). Although Father had a marital interest in the house,

[2] Father also complains that the trial court erroneously excluded "many claimed assets" from the list of marital property to be divided. In his brief, Father does not identify any particular asset, but we note that in his Rule 9-207 statement, he listed several accounts that Mother did not, including accounts at Truist Bank, USAA, Navy Federal Credit Union, Charles Schwab, Mary Kay, and Wells Fargo. In making its ruling, the trial court acknowledged these claims but found that there was no evidence to show the value, or in some cases the existence, of those assets and declined to divide them without sufficient proof. *See Innerbichler v. Innerbichler*, 132 Md. App. 207, 227 (2000) ("[T]he party who asserts a marital interest in property bears the burden of producing evidence as to the identity of the property."). We can only speculate that these are the same assets Father is referring to on appeal, but without a more specific allegation of error, there is nothing for us to review.

he did not have an ownership interest. As a result, his opinion as to the value did not have the same presumption of reliability. To dispute Mother's valuation, the burden was on Father to present the court with credible evidence. *Abdullahi*, 241 Md. App. at 413; *Brown v. Brown*, 195 Md. App. 72, 120 (2010). That he did not do.

A trial court's ruling regarding the value of marital property is a finding of fact that we will not disturb unless it is clearly erroneous. *See Innerbichler v. Innerbichler*, 132 Md. App. 207, 229 (2000). As the owner of the house, Mother's opinion as to its value was competent evidence to support the trial court's finding. Thus, there is no abuse of discretion.

V. CUSTODY AND SUPERVISED VISITATION

In his fifth issue, Father argues that the trial court failed to support its custody decision with specific findings of fact under the appropriate factors. The record does not support Father's contention.

"[C]ustody determinations must be made on a case-by-case basis due to the uniqueness of the fact patterns in such disputes." *Petrini*, 336 Md. at 469. Maryland courts consider a variety of factors to determine what is in the best interest of a child. FL § 9-201(a); *see also, e.g.*, *Taylor v. Taylor*, 306 Md. 290, 303 (1986); *Montgomery Cnty. Dep't of Soc. Servs. v. Sanders*, 38 Md. App. 406, 419 (1978). Because of the individualized nature of a best interest analysis, not all factors will be relevant to every situation and no one factor "has talismanic qualities." *Petrini*, 336 Md. at 469 (quoting *Taylor*, 306 Md. at 303). "[T]rial courts are endowed with great discretion in making decisions concerning the best interest of the child." *Petrini*, 336 Md. at 469. We review the

trial court's custody ruling for an abuse of discretion. *Santo v. Santo*, 448 Md. 620, 625 (2016). This deference recognizes that the trial court had the advantage of observing the parties to evaluate their demeanor and credibility. *Id*.

At the disposition hearing, the trial court explained that to make its custody decision, it had considered "a number of factors" and specifically referenced *Taylor v. Taylor* and *Montgomery Cnty. Dep't of Soc. Servs. v. Sanders*.

On the record, the trial court addressed both the fitness of the parents and the character and reputation of each of the parties and found that those factors weighed heavily in Mother's favor. The trial court noted that Mother had been a serving member of the military for a long time, had a good relationship with her children, and had brought in witnesses to testify to her having a reputation for good character. In contrast, the trial court found that Father was not always truthful in his representations to the court.

With regard to the ability of the parents to communicate and reach shared decisions, the trial court found that Mother and Father had none, that they had been unable to agree on anything, and that this circumstance was unlikely to change. The trial court specifically found that Father was the one who made communication difficult, based on both Mother's testimony about her problems communicating with Father, and the trial court's own observations of Father's refusal to adhere to the court's instructions.

With regard to the potential for maintaining natural family relations and the length of separation from the parent seeking custody, the trial court found that there was a strong relationship between Mother and the children, and that apart from her military deployments, Mother had consistently been with and cared for the children. In contrast,

there was very little connection between Father and any of the children, no relationship at all between Father and N, and Father had been completely separated from the children since the protective order was entered.

The trial court found that the young age of the children and that all three were daughters weighed in favor of Mother. Moreover, there was ample testimony that Mother's home was a suitable residence for the children, but no testimony at all about where Father was living. Finally, the court found that the children's home life had been stable since Father had moved out.

Although the trial court did not go through every factor listed in the caselaw, it is apparent from the record that the trial court considered and applied the factors that were appropriate for the circumstances of the case. The trial court's decision that it was in the best interest of the children for Mother to have primary physical and legal custody is supported by the discussion of those factors. The trial court's analysis specifically highlighted which factual findings supported limiting Father to supervised visitation, including the protective order that was still in place and Father's history of disruptive actions in the home.

The record shows that trial court relied on the appropriate legal framework and made factual determinations that were supported by evidence in the record, and we see no abuse of discretion in the trial court's ultimate determination.

VI. DUE PROCESS

In his final issue, Father argues that his due process rights were violated because the trial court failed to offer him "reasonable accommodations" as a self-represented litigant.

Specifically, he asserts that in light of his choice to represent himself, the trial court should have admitted inadmissible evidence of the value of the parties' home and credited his testimony about his employment. He claims that the court's failure to do so made the proceedings "fundamentally unfair." He is incorrect.

The rules of procedure apply equally to both attorneys and self-represented litigants. *Tretick v. Layman*, 95 Md App. 62, 68 (1993). The legal system acknowledges that "an untrained, inexperienced litigant is generally at a great disadvantage." *Id*. at 69. Nonetheless, there are no separate rules or standards for litigants who choose to proceed without the aid of counsel. *Gantt v. State*, 241 Md. App. 276, 302 (2019); *Tretick*, 95 Md. App. at 68. The trial judge's primary role is to act as an impartial referee, ensuring that the adversarial proceedings are conducted fairly. *Tretick*, 95 Md. App. at 69. To lend aid to either side "would subvert a necessary part of our adversarial system designed to guarantee just trials." *Id*.

We note first that it appears from the record that the trial court did allow Father some leeway because of his self-represented status, including repeatedly explaining rules of evidence and offering Father the opportunity to continue his direct testimony out of order, even though the proceedings had moved on to cross-examination. It is also apparent from the record that despite this leeway, the trial judge made every effort to ensure that both sides were held to the same standards and rules. That is precisely what due process requires. Indeed, the trial court would have been derelict in its duty if it had chosen to selectively enforce the rules to favor Father. We see no error in the trial court's actions.

CONCLUSION

Our review of the record shows that the trial court faithfully executed its role as a neutral arbiter and was exceedingly patient in explaining to Father the sequence of the proceedings and what was expected of him. For each of the issues Father raised in this appeal, the trial court applied the appropriate law, considered the necessary factors, and made findings that are clearly supported by evidence in the record. We thus conclude that the trial court did not abuse its discretion in the proceedings below.

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