

Circuit Court for Washington County
Case No.: C-21-CV-24-000435

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1918

September Term, 2024

IN THE MATTER OF
AARON ROBERTS

Zic,
Ripken,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: January 2, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

Appellant Aaron Roberts is incarcerated in the Maryland Correctional Institution in Hagerstown. In October 2024, Roberts petitioned the Circuit Court for Washington County for judicial review of a decision of the Incarcerated Individual Grievance Office dismissing a grievance he had filed. Along with his petition, Roberts filed a request for waiver of prepaid costs under Maryland Rule 1-325 and Md. Code Ann., Cts. & Jud. Proc. (“CJP”) § 5-1002. The court denied Roberts’s request because he failed to show sufficient cause for a waiver under CJP § 5-1002(c) and directed the clerk not to process Roberts’s petition until he paid the unwaived filing fee.¹ This appeal followed.

To demonstrate sufficient cause for a fee waiver, an incarcerated individual must do “more than just recit[e] the statutory language.” *Williams v. Cir. Ct. for Wash. Cnty.*, 196 Md. App. 169, 178 (2010). “It is essential to state the basis of one’s claim with ‘sufficient particularity,’ such that the court can make a determination as to its validity, and the claimant’s likelihood of success on the merits.” *Id.* We review a circuit court’s denial of an incarcerated individual’s request for waiver of prepayment of filing fees for an abuse of discretion. *Massey v. Inmate Grievance Off.*, 153 Md. App. 691, 697 (2003).

Here, Roberts provided no information regarding the basis of his underlying administrative complaint beyond generally alleging that it related to the conditions of his confinement. Nor did he state any facts showing that the decision deviated from any established policy or procedure. Consequently, the circuit court could not determine the seriousness of his concerns or his likelihood of success on the merits. Thus, we conclude

¹ The court reduced the filing fee to \$35 pursuant to CJP § 5-1002(b).

that the court did not abuse its discretion in declining to waive prepaid costs.² *See id.* at 696 (affirming an order denying a motion to waive costs because the appellant “provided no information regarding the basis of his claim that would have permitted the trial court to assess whether [he] had a reasonable likelihood of success on the merits”).

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

² Roberts also argues that the Prisoner Litigation Act is unconstitutional because it does not include a savings provision, such as the one in the federal statute. *See* 28 U.S.C.A. § 1915(b)(4). We do not reach this issue because we are satisfied that Roberts was not prohibited from seeking judicial review because of his inability to pay costs; he was prohibited from seeking judicial review because he failed to fulfill his statutory obligation under CJP § 5-1002(c). *See Motor Vehicle Admin. v. Gonce*, 446 Md. 100, 126 (2016) (“[T]his court will not decide constitutional issues unnecessarily.”).