

Circuit Court for Baltimore City  
Case No. 24-T-18-000283

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 2007

September Term, 2024

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IN THE MATTER OF JULIA TAYLOR

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Wells, C.J.,  
Friedman,  
Zic,

JJ.

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Opinion by Friedman, J.

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Filed: March 30, 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 MD. RULE 1-104(a)(2)(B).

## FACTS<sup>1</sup>

Julia Taylor is a person subject to a guardianship of her person and property, established in 2018. Jo Ann Myles currently serves as her guardian. In 2022, Julia’s brother, Christopher Taylor, sought to participate in the guardianship proceedings by filing a document entitled “Addition of Interested Person and Entry of Appearance.” Julia moved to strike Christopher’s appearance. Christopher then moved to intervene in the guardianship. The circuit court denied Christopher’s motion to intervene but designated him as an interested person entitled to receive notice of proceedings.<sup>2</sup> This appeal followed.

On appeal, Julia argues that the circuit court erred in designating Christopher as an interested person or by failing to strike him as an interested person. She also argues that the circuit court erred by not holding a hearing on her motion to alter or amend its judgment. We are prohibited by Maryland law from considering these issues.

## ANALYSIS

Ordinarily, Maryland adheres to the “final judgment rule” permitting appeals only from final judgments. MD. CODE, CTS. & JUD. PROC. (“CJ”) § 12-301; *Rohrbeck v. Rohrbeck*, 318 Md. 28, 41 (1989); *see also* KEVIN F. ARTHUR, FINALITY OF JUDGMENTS AND OTHER APPELLATE TRIGGER ISSUES 4-5 (4th ed. 2025). There are, however, three

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<sup>1</sup> We refer to the siblings by their given names as they share a surname. Julia, as a person under guardianship, lacks legal capacity to take action on her own behalf; it is Myles, as guardian, who is the real party in interest. Nevertheless, we discuss Julia as the participant in these proceedings.

<sup>2</sup> The circuit court based that ruling on MD. R. 10-103(f)(1) (defining “interested persons”).

categories of permissible interlocutory appeals: statutory, rule, and common law. Each is carefully circumscribed. *Falik v. Hornage*, 413 Md. 163, 175 (2010) (stressing that there are only three limited exceptions to the final judgment rule); ARTHUR, *supra* at 52. If the order appealed from is not final and none of the three exceptions apply, we must dismiss the appeal. MD. R. 8-602(b)(1) (must dismiss appeal not allowed by law).

The first category is statutory. Courts & Judicial Proceedings Article § 12-303 enumerates specific interlocutory orders that are appealable as of right. The right extends no further than the statute's enumerated categories; an order that falls outside them cannot be brought within the statutory exception by analogy or liberal construction. Julia's appeal does not fall within any of these enumerated categories.

The second category is rule-based. Maryland Rule 2-602(b) permits a trial court, when multiple claims or parties are involved, to direct entry of final judgment as to fewer than all claims or parties upon an express determination that there is no just reason for delay. Rule 8-602(g) is the appellate counterpart, authorizing this Court to treat a notice of appeal from a non-final order as an application for leave to appeal. Both provisions require an affirmative exercise of judicial discretion, and neither confers an appeal as of right. Julia has neither sought nor received the appropriate permission under these Rules. And if she had sought it, it could not have been granted: Rule 2-602(b) applies only where multiple claims or parties are involved, and this case involves neither. *See generally USA Cartage Leasing, LLC v. Baer*, 202 Md. App. 138, 170 (2011); ARTHUR, *supra* at 71-72.

The third category is a product of the common law. Under the collateral order doctrine, an interlocutory order is immediately appealable only if it satisfies four

conjunctive requirements: “(1) conclusively determines the disputed question, (2) resolves an important issue, (3) resolves an issue that is completely separate from the merits of the action, and (4) would be effectively unreviewable if the appeal had to await the entry of a final judgment.” *In re M.P.*, 487 Md. 53, 66 (2024) (quoting *Stephens v. State*, 420 Md. 495, 502 (2011)); *see also* ARTHUR, *supra* at 55. The doctrine is narrow by design, and all four requirements must be satisfied. Courts have been cautious about expanding the categories of orders that qualify.

First, the order does not conclusively determine the disputed question of Christopher’s status as an interested person. The circuit court was explicit on this point: “The Court does not designate Christopher Taylor as an interested person in this case because it expects him to do anything. The Court certainly has not determined that he is entitled to do anything in this action. The objections that Ms. Taylor has to his involvement may be asserted in opposition to any action he may take or seek to take in this action.” The order thus resolves nothing about the extent of Christopher’s participation — it merely preserves the question for future proceedings. An order that leaves the central issue expressly open is the opposite of a conclusive determination.

The second requirement is also not satisfied. We do not minimize the significance of this issue to Julia, but the question of whether an issue is important is not tested by its importance to the litigants. Rather, it is its importance in the life of the litigation. In that context, whether Christopher receives notices as an interested person is not an important issue.

The third requirement — that the order resolve an issue completely collateral to the merits — is satisfied. The question of Christopher’s participation as an interested person is distinct from the underlying guardianship, which is not the subject of any active dispute.

The fourth requirement is not satisfied. For an interlocutory order to be immediately appealable, the right it affects must be one that would be effectively lost if review awaited final judgment. That is not the case here. The circuit court’s order leaves Christopher’s future participation expressly unresolved and subject to further proceedings. If the court were at some future point to allow Christopher to participate more actively, Julia would be able to raise all objections at that time — and to seek review of any adverse ruling at the conclusion of the case. We understand that Julia would prefer that Christopher receive neither the notice nor the annual reports that interested-person status entails. The standard is effective loss of a right, and no such loss is threatened here.

Three of the four required elements of the collateral order doctrine are not satisfied. As a result, the collateral order doctrine does not apply.

Because this appeal falls within none of the exceptions to the final judgment rule — statutory, rule-based, or common law — it is an impermissible interlocutory appeal and must be dismissed.<sup>3</sup> MD. R. 8-602(b)(1).

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<sup>3</sup> Because this is an impermissible interlocutory appeal, we do not consider the merits. Nevertheless, because Julia is a person under guardianship, she remains under the continuing protection of the court. *See* MD. CODE, EST. & TRUSTS § 13-221(b) (guardianship of property continues until death, end of disability, or other good cause is shown); MD. R. 10-209 (same for guardianship of the person); *see also In re Rosenberg*, 211 Md. App. 305, 323 (2013) (“in reality the court is the guardian; an individual who is given that title is merely an agent or arm of that tribunal in carrying out its sacred responsibility”). We direct the circuit court to review the pleadings filed on her behalf and

**APPEAL DISMISSED. COSTS ASSESSED  
TO APPELLANT.**

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to determine whether the positions taken, their likelihood of success (particularly in light of Rule 8-131), and the counsel fees incurred, reflect a litigation strategy that was in Julia’s best interests. We also observe that this appeal — which consumed the resources of both sides and this Court — reflects litigation choices that are difficult to reconcile with those interests.