

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1159

September Term, 2015

TINA BOND

v.

EDENWALD-GENERAL GERMAN AGED
HOME OF BALTIMORE d/b/a EDENWALD

Berger,
Nazarian,
Moylan, Charles E., Jr.,
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 6, 2017

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

Tina Bond, appellant, filed the instant appeal from an order of the Circuit Court for Baltimore County denying her request for a fee waiver. Because there has been a final adjudication of the merits of the underlying action in federal court, the issue on appeal is moot, and the appeal shall be dismissed.

On June 25, 2015, Bond filed a Complaint for Employment Discrimination against General German Aged Home of Baltimore, d/b/a Edenwald (“Edenwald”) in the Circuit Court for Baltimore County, alleging a federal cause of action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.* The complaint alleged that, after she filed a charge of employment discrimination with the Equal Employment Opportunity Commission in August 2011, she was “targeted” and then terminated from her employment on March 28, 2012. Along with the complaint, appellant filed a Request for Waiver of Prepayment of the Filing Fee, which the circuit court denied on July 2, 2015. Appellant filed the instant appeal on July 31, 2015, challenging the circuit court’s denial of the waiver request.

On August 25, 2015, less than a month after filing this appeal, Bond filed a Complaint for Employment Discrimination against Edenwald in the United States District Court for the District of Maryland (“federal court”), Civil Action No.: JFM-15-2513, alleging the same federal cause of action based on the same set of facts. The federal court granted appellant’s Motion for Leave to Proceed *in forma pauperis* on August 28, 2015. Summary judgment was granted in favor of Edenwald on October 14, 2016, and that judgment was affirmed by the United States Court of Appeals for the Fourth Circuit on March 16, 2017. No further appeal was taken.

Because Bond’s claim has been adjudicated on the merits in the federal court action, the final judgment of the federal court bars further litigation in the circuit court. *See Anne Arundel County Board of Education v. Norville*, 390 Md. 93, 107 (2005) (holding that doctrine of res judicata barred employee from asserting employment discrimination claims in the circuit court that were “either fully raised and litigated in the federal District Court, or that could have been raised in the federal action.”) Consequently, the issue on appeal is moot. *See Coburn v. Coburn*, 342 Md. 244, 250 (1996) (“A case is moot when there is no longer an existing controversy between the parties at the time it is before the court so that the court cannot provide an effective remedy.”)

**APPEAL DISMISSED. ANY OPEN COSTS
ARE WAIVED.**