

Circuit Court for Frederick County  
Case No. C-10-FM-22-000862

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 2030

September Term, 2025

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AUSTIN CURRY

v.

AMANDA CURRY

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Graeff,  
Nazarian,  
Leahy,

JJ.

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Opinion by Graeff, J.

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Filed: June 24, 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).

Austin Curry (“Father”), appellant, appeals from an order of the Circuit Court for Fredrick County granting Amanda Curry (“Mother”), appellee, an absolute divorce and granting her request for sole legal and physical custody of the parties’ two minor children, as well as ordering Father to pay child support, alimony, and attorney’s fees. On appeal, Father presents the following questions for this Court’s review, which we have rephrased slightly, as follows:

1. Did the circuit court err in ordering Father to pay Mother alimony and legal fees?
2. Did the circuit court err in awarding Mother legal and physical custody?

For the reasons set forth below, we shall affirm the judgments of the circuit court.

#### **FACTUAL AND PROCEDURAL BACKGROUND**

Mother and Father married on September 1, 2017. During their marriage, the parties had two children, F.C. who was five years old at the time of the merits hearing, and L.C. who was three years old at the time of the hearing.<sup>1</sup> On April 12, 2022, the parties separated.

Both children were born with disabilities. They were diagnosed with autism and needed intensive therapies, including speech therapy and occupational therapy.

On May 31, 2022, Mother filed a Complaint for Limited Divorce, and she requested sole legal and physical custody of the minor children. She also requested that Father pay child support and alimony, provide health insurance and medical insurance for Mother and their children, and pay attorney’s fees.

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<sup>1</sup> In the interest of privacy, we will refer to the children by their initials.

On July 2, 2022, Father submitted an answer and requested that the court deny Mother's request and relief. He requested, among other things, that he be awarded primary physical and sole legal custody, with Mother having access and visitation based on the best interest of the children.

On January 14, 2023, the court issued an interim order. The court ordered joint legal custody and Mother to have primary physical custody, with Father having liberal access. The court granted Mother exclusive use and possession of the marital home, and it ordered Father to continue paying the mortgage and provide health insurance for Mother.

On May 31, 2023, Mother and Father entered into a partial property settlement agreement, which dealt with the disposition of the marital home and the personal property purchased by each party after the sale of the home. All other issues, including custody, access, child support, and support arrears were reserved for a future written agreement or court order.

On July 10, 2023, the court held a pendente lite hearing. On July 18, 2023, it issued a pendente lite custody and access order, granting Mother sole legal and physical custody of the children. Father was granted access to the children at specified times.

On August 23, 2023, the court held a second pendente lite hearing. On August 30, 2023, the court issued a second pendente lite support order, ordering Father to pay child support in the amount of \$2,000 per month, with an arrearage of \$30,000, to be paid \$200 per month until it was paid in full. On November 21, 2023, the court entered an amended pendente lite support order and adjusted the arrearage amount to \$21,000.

On January 11, 2024, Mother filed an amended complaint for absolute divorce, alleging that it was in the children’s best interest for her to be awarded sole legal and primary physical custody. She alleged that Father had engaged in physical and verbal abuse, which made continuation of the marital relationship “impossible,” and she “was forced to leave to maintain her health, safety, and self-respect.”

On February 19, 2024, Father filed a counter complaint for absolute divorce. He requested an absolute divorce on the grounds of six-month separation or irreconcilable differences, that he be awarded joint physical custody and joint legal custody with tie-breaking authority, attorney’s fees in the amount of \$2,250, and child support consistent with the child support guidelines.

**I.**

**Merits Hearing**

On May 13, 2025, the court held a five-day merits hearing.<sup>2</sup>

**A.**

**Lisa Gottlieb**

Ms. Gottlieb provided therapeutic supervised visitation (“TSV”) services to Father. She was able to establish a working relationship with Father, but she was concerned “about [his] impulse control and emotional regulation.” Father “had a difficult time expressing his

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<sup>2</sup> The court’s October 3, 2025 order states that there was an earlier trial that ended in a mistrial and the recusal of the judge presiding in that case. The court stated that it reviewed the prior trial, at Father’s request. The record, however, does not contain transcripts of that earlier proceeding.

anger,” and he “ha[d] a difficult time expressing himself appropriately when he disagree[d] with professionals’ assessments.”

Both F.C. and L.C. had autism and needed to attend specialized schools and participate in intensive therapies, including speech therapy, occupational therapy, and feeding therapy. As a result, Mother “manage[d] relationships between multiple professionals who provide[d] support to the children and to the family.” Ms. Gottlieb testified regarding her concern that Father had a difficult time working with other professionals, which would cause providers to terminate their services with the family. She stated that premature termination of services was a detriment to the children “because consistency [was] so important to them in getting . . . the help and the support that they need.”

Ms. Gottlieb had observed F.C. and L.C. with Mother. Ms. Gottlieb stated that Mother was “a tireless advocate for her children,” and Mother had “worked exceptionally hard to make sure that those children have gotten what they have needed.” Based on her observations of the children with Mother, Ms. Gottlieb stated that the children were “doing exceptionally well.”

Because of the children’s complex emotional and diagnostic needs, they required a level of calm, consistency, and emotional regulation from Father when he was with the children. Father needed to work with his own therapist to be able to work on his anger management, emotional regulation, impulse control, and demonstrate an ability to be able to work cooperatively and co-parent with Mother.

Mother and Father were not able to effectively communicate together, because Mother had a very big job, with two special needs children that required “an incredible amount of energy and effort to be able to provide those boys with all of the supports that they need.” Father would send Mother emails accusing her of not following through with tasks and questioning any decision that she made for the children. Father’s interactions with Mother “interfered with her ability to be able to adequately support and give th[e] children the services that they needed.”

Father had “ups and downs” in his progress with TSV. Ms. Gottlieb consistently needed to re-establish boundaries and expectations. Father was able to be present for his children in a supervised setting. He had difficulty, however, focusing on the needs of the children rather than the ongoing litigation. He discussed the litigation with Ms. Gottlieb, which she considered inappropriate, and she told Father that his continuing to file motions and litigate with Mother “was really detracting from his ability to be able to focus on the children.”

Ms. Gottlieb did not believe that the parties could communicate effectively together to make joint decisions for the best interest of the children. She tried to facilitate communication between the parties so that they could come to some agreements, but such communication “just absolutely could not take place.” Father was frequently unable to communicate with Mother in a respectful manner, and he was argumentative towards her. Father took “very limited, if any,” responsibility for any of his own role in the situation.

Accordingly, Ms. Gottlieb did not recommend 50-50 custody, and instead, she recommended that Father continue TSV.

Father, at times, had difficulty working with Ms. Gottlieb and her staff. At one point, Father sent an email to Ms. Gottlieb regarding an incident. Father accused her of lying and misrepresenting what had happened. Ms. Gottlieb had to “set very clear parameters” with Father regarding the behavioral expectations she required of him for her to continue providing TSV services. One such expectation was that Father would “speak and conduct himself in a respectful manner at all times” while attending TSV sessions.

Father, however, was not able to meet this expectation. In February 2025, Father sent Ms. Gottlieb an email that was “aggressive, disrespectful, [and] accusatory.” Father accused her of engaging in unethical behavior, “painting a false image, being dishonest in [her] assessment of his behavior,” and in the recommendations that she made. On February 24, 2025, Ms. Gottlieb and the Chief Program Officer spoke with Father on the phone and informed him that “he would no longer be able to receive services . . . based on his behavior.” Ms. Gottlieb gave Father the opportunity to have two additional sessions, because she felt that it was in the children’s best interest and would give Father the opportunity to find another TSV provider. Ms. Gottlieb also provided Father with referrals and recommendations for other TSV providers in the area. During the remaining TSV sessions, it was “very difficult” to have productive communication with Father “based on his level of emotional dysregulation.”

Following Ms. Gottlieb's testimony, Father made a motion for a mistrial, which the court denied.

**B.**

**Charles Mitcham**

Mr. Mitcham is Mother's brother. He testified that, from 2020 to 2021, he shared a home with Mother, Father, F.C., and a few other family members. After Mr. Mitcham and the parties stopped living together, he continued to see Mother, who was always with the children, but he rarely saw Father. Mr. Mitcham described Mother as F.C.'s primary caregiver, who did "all the day-to-day duties of being a parent," which included playing, reading books, bathing, changing diapers, or changing clothes. Father worked full-time as a truck driver and later at FedEx. When he was not working, he was typically playing video games or cards.

Mr. Mitcham had no concerns with Mother as a parent, and he believed that she was a fit and proper custodian of F.C. and L.C. Mother was attentive to both F.C. and L.C., and she understood their wants and needs. She was "dedicated to their therapies" and would do anything for the children. Both F.C. and L.C. loved being around Mother, and they went to her for any of their wants or needs.

Mr. Mitcham described Father as an "intense" parent. Mr. Mitcham testified that Father would have an "explosive minute" with F.C. and L.C., where Father would play with them for about a minute, and then would go do something else, and would be gone for almost an hour. He repeated this cycle "over and over again."

Mr. Mitcham had observed interactions between Mother and Father. Father was hostile and often yelled at Mother. When Mr. Mitcham lived with Mother and Father, he often heard Father being “verbally aggressive” towards Mother. Father would pull Mother aside and “get up close to her face,” which he testified made Mother uncomfortable.

Mr. Mitcham’s biggest concern with Father as a parent was that he did not have the focus or attention to meet both F.C.’s and L.C.’s needs on his own, noting that both children had disabilities and required a lot of attention. He did not believe that Mother and Father had the ability to communicate effectively to make decisions in the children’s best interest.

### C.

#### **Mitzi Mitcham**

Ms. Mitcham, Mother’s mother, testified that, after the parties got married, they moved to El Paso, Texas for Father’s military training. In March 2020, the parties left El Paso and moved into Ms. Mitcham’s home in Maryland, where they lived until July 2020.

Ms. Mitcham testified that Mother was a “fantastic mother,” and she had no concerns about Mother as a parent. When the parties lived together, Mother did everything for the children, and Father was usually sleeping, playing video games, or playing cards. Father’s parenting was “non-existent.” There were times when Ms. Mitcham went to the marital home to watch the children so that Mother could complete basic tasks like taking a shower. Father was home during these times, but he was sleeping.

Mother was the main caregiver for the children. Father would interact with F.C., but those interactions were “five minutes of just running around our house screaming and

throwing [F.C.] around . . . and then [Father] would also get tired of it really quickly, and he would hand [F.C.] off to” Ms. Mitcham or Mother.

Mother did not work outside the home, and her schedule was too full meeting the children’s needs to allow her to work. F.C. attended school five days a week at a school 25 minutes away from the family home, and Mother drove him there each day. L.C. went to school closer to the family home, and he was in school on Monday and Tuesday until 11:30 AM. Both children had speech, occupational, and feeding therapy.

Mother was a fit and proper custodian of F.C. and L.C. Ms. Mitcham did not believe that the parties would be able to effectively communicate to make decisions in the children’s best interest. Since the parties separated, and after the pendente lite hearing, the relationship between the parties had gotten worse.

Father “constantly harass[ed]” Mother. He was very short-tempered and got angry quickly. He constantly yelled at Mother, belittled her, and called her names.

Ms. Mitcham had observed Father force feed F.C. against his will. On one occasion, she witnessed Father pick up F.C., and force F.C. to eat. F.C. screamed and shook his head back and forth as Father attempted to force the food down his throat. Father stated that this was the only way he was able to get F.C. to eat. On a separate occasion, Father arrived at F.C.’s school while Mother and Ms. Mitcham were dropping him off for the first day of school. During drop off, Father appeared and began to scream and yell at Mother.

After Mother filed the complaint for limited divorce, Father became violent. As a result of Mother’s fear of Father, the parties began to exchange the children at a gas station

so that the exchange would take place in public where cameras were present. Ms. Mitcham testified that, initially, she was present at the exchanges, but she became so afraid of Father that she could no longer be present.

**D.**

**Jeffrey Maynard**

Mr. Maynard, a neighbor, testified that he had frequently seen Father spending time with the children outside in the yard and around the neighborhood. He described Father as patient, loving, and tender. The last time Mr. Maynard had seen Father with the children, however, was close to a year ago, and he had only seen Father with the children a couple dozen times. He had never seen Father act violently towards another person and would be surprised to learn that Father had acted violently towards Mother and the children.

**E.**

**Christopher Curry**

Mr. Curry, Father's father, testified that Father loves and cherishes the children and wanted nothing but the best for them. Mr. Curry had never witnessed Father do anything negative with the children, nor had he ever witnessed Father act violently toward Mother or the children.

Mr. Curry testified that Father had recently earned a bachelor's degree in cybersecurity and was pursuing a master's degree. Father had previously turned down employment so that he could spend more time with the children.

**F.**

**Mother**

Mother testified that, during the marriage, she was primarily a stay-at-home parent and the primary caretaker of F.C. and L.C. Mother was responsible for taking the children to their therapies, doctor's appointments, and accommodating any of their other needs. Father's role was "to work and financially provid[e]" for the family.

Before returning to Maryland from El Paso, Father had surgery on his neck and spine and received disability benefits from the military. When the parties first returned to Maryland, Father was not working. He then began working as a truck driver, where he worked during the day. When Father was not working, he slept. Mother testified that Father did not spend time with her and the kids when he was not sleeping. Instead, he played video games or looked through his Yu-Gi-Oh! cards, which he sold to make additional income.

After working as a truckdriver for a year, Father worked at a FedEx warehouse, where he worked the night shifts. Father typically left the house at approximately 8:30 or 9:00 p.m., and he would return home around 7:00 or 8:00 a.m. He typically went to sleep when he returned home and woke up about an hour or two before he needed to go back to work. Mother testified that "he just really wasn't around."

Before Mother became pregnant with F.C., the parties agreed that Mother would stay home with the children. She briefly went back to work, however, because Father wanted to go back to school to earn his bachelor's degree in cybersecurity. She began

working at a CVS Pharmacy as a pharmacy technician when F.C. was about 14 months old. Mother worked 20 to 30 hours a week and earned \$12 an hour.

Mother left her job at CVS because she was pregnant with L.C., having complications with her pregnancy, and had learned that F.C. had autism. She noticed declines in F.C.'s development, and she felt that Father was not properly taking care of F.C. while she was working. On one occasion, she came home and found Father sleeping while F.C. was unsupervised in a Pack 'n Play with a soaking wet diaper. Mother did not believe that she was able to work because F.C. and L.C. both had such demanding schedules, and she did not believe she could fit work around their schedules.

F.C. received speech therapy twice a week, occupational therapy twice a week, and feeding therapy once a week. He went to school full-time, five days a week, approximately 25 to 35 minutes away from Mother's home. F.C.'s participation in some therapy was inconsistent because multiple providers refused to continue offering services to F.C. as a result of Father's behavior toward service providers.

L.C. received therapy five days a week in a clinic. L.C. attended school twice a week, and he also received separate physical, speech, and occupational therapy services. L.C.'s school was approximately five to ten minutes from Mother's home.

During the time that Mother and Father shared a home with Mother's family, her relationship with Father "wasn't great"; they fought all the time. Father yelled at Mother almost on a daily basis, and he "nitpicked every little thing that [Mother] did." Father often swore at Mother.

Mother was afraid of Father. He would scream at her, “get in [her] face,” and spit at her. She learned that Father had been cheating on her, and when she confronted him, he became “irate and super aggressive,” and he made threats against her. On April 12, 2022, she told Father that he needed to leave the marital home, and he began living with Mr. Curry.

Mother filed a domestic violence petition against Father because she was afraid for her safety. Father had been verbally abusive towards her, and on one occasion, he kicked Mother in the upper right thigh. Father prevented her from leaving the home, and Father “barricaded [her] inside the home” and told her that she was not allowed to leave.

Father simultaneously filed a protective order, which he later apologized for and said that he filed it because “he just wanted [the children] for his birthday dinner.” After Father filed the protective order, Mother was served with paperwork that instructed her to surrender the children to Father. When she arrived at the marital home, Father, Mr. Curry, and Father’s sister were present. They yelled and laughed at Mother as she surrendered the children to Father.

During the time that Father had access under the pendente lite order, the parties initially made exchanges at the marital home, but Father would bang on the front door, stare at Mother from the window while she was leaving and would tell Mother “to get the fuck off his property.” Mother did not feel safe around Father, so for her and the children’s safety, she moved the exchanges to a gas station so that they would be in a public space with cameras. For additional safety, Mother eventually moved the exchanges to a police

station. On one occasion, Father refused to return F.C. because he had an issue with the pants Mother was wearing. Mother called 911, and multiple officers came out, and Father eventually returned F.C. to Mother. On a separate occasion, on F.C.'s first day of school, Father followed Mother and her parents to F.C.'s school, got out of his vehicle and began screaming and yelling at Mother and her parents. He also took photos of Mother and her parents. F.C. was present.

Father also displayed problematic behavior in relation to the children's therapies, which led to therapy providers terminating services with the children. F.C. began Applied Behavior Analysis ("ABA") therapy through a service called Behavioral Framework,<sup>3</sup> which provided a Registered Behavioral Technician ("RBT") for services in the family home. Mother described F.C.'s relationship with the RBT as amazing. She stated that F.C. and the RBT instantly bonded and that F.C. "enjoyed having her."

Mother testified that, during the first hearing, which resulted in a mistrial, the RBT was called as a witness. Father became "irate" that the RBT was a witness, and he accused Mother and the RBT of conspiring against him. Father then learned that the RBT had an expired driver's license and began sending her messages. Father sent messages via Our Family Wizard, stating that the RBT did not have permission to enter the home anymore,

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<sup>3</sup> Applied Behavior Analysis ("ABA") therapy is a type of therapy that helps the children learn communication and basic life skills.

“that she [was] a risk to others around her, . . . that she broke the law, that she has a suspended license, [and] that she’s driving to clients’ houses illegally.”<sup>4</sup>

Behavioral Framework subsequently terminated their services with F.C. Mother testified that this was not in F.C.’s best interest because he had been doing extremely well with the RBT, who had been working with him for more than a year. Following Behavioral Framework’s termination of services, F.C. did not have an ABA service provider for more than six months.

Mother then got F.C. into ABA therapy with a provider called Advancing Abilities. They subsequently terminated their services because Father was “harassing the company and asking . . . to change documentation for insurance.”

After more than a year on a waitlist, F.C. began receiving ABA services from a third provider, Basal Therapies. Basal Therapies also terminated their services with F.C. due to Father harassing and abusing their providers. During one visit, F.C. began to cry, and Father spoke to F.C. in a hostile tone. The therapist told Father that he was not speaking to F.C. appropriately, and Father began to scream at the provider and got “in her face.” Mother stated that everybody in the building could hear Father’s yelling and screaming. This was not the only time that Father displayed this type of behavior while at Basal Therapies. Father’s behavior at Basal Therapies often caused F.C. to cry and become dysregulated, which prevented F.C. from productively participating in the sessions.

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<sup>4</sup> The RBT did not drive the children at any time during her services as their service provider.

Following Basal Therapy's termination, F.C. was on a waitlist for multiple months trying to find a new provider. During that time, F.C. did not receive any ABA therapy. Mother expressed to Father that she was concerned that he was going to harass or abuse the next set of providers, which would lead to F.C. to lose services again.

To get the children into the various therapies and programs, Mother contacted insurance providers, obtained referrals for the insurance companies, and called the programs to determine which would be the best fit for the children. She also attended the children's IEP meetings approximately four or five times a year. Prior to the separation, Father's involvement with providers for the children was "nonexistent." Mother made decisions in the best interest of the children, and Father "would just ask that [Mother] keep him informed."

Father did not consistently follow the recommendations of the children's therapists. As part of F.C.'s feeding therapy, Mother and Father were required to keep a food log to track what F.C. had been eating. On one occasion, F.C. had not been cleared by the therapist to eat chicken because he did not chew enough times before swallowing, and it was unsafe for him to eat it. Father fed F.C. chicken anyway. Father also failed to log what F.C. was eating during the time that he was with the children, and on one occasion, he refused to hand over the food log to Mother during an exchange of the children.

Mother stated that she and Father were not able to communicate effectively to make decisions in the best interest of the children because they did not "get along on anything."

Father had told Mother that he refused to cooperate with her, and he did “not feel comfort in sharing information on basic things” like diaper changes, naps, and meals.

Mother believed that it was in the children’s best interests for her to continue to have sole physical custody of the children and Father have TSV. She believed that this was best for the children due to Father’s behavior, temper, inability to make decisions in the best interest of the children, and lack of patience that was required to care for children with disabilities.

Mother testified that she had a financial deficit, which she was paying using loans from family members. Mother used the money from the sale of the marital home to pay her bills.

Mother testified that Father received disability in the amount of \$4,200 a month from the Department of Veterans Affairs (“VA”). She asked the court to award enough alimony and child support so that she could meet the deficit on her financial statements. In addition to his VA benefits, Father earned \$1,000 to \$2,000 a month during the marriage selling Yu-Gi-Oh! Cards. Father had been paying the arrearage established during the pendente lite hearing, but he still owed \$16,409. Other than what he owed from the prior arrearage, Father was current on support.

Mother testified that her attorney’s fees had increased significantly due to Father’s “needless motions,” and she asked the court to award her attorney’s fees as a result. Mother also had additional legal fees because Father refused to answer certain questions during a deposition, which forced Mother to file a motion to compel. The court granted the motion

to compel, and Mother conducted a second deposition, but Father still refused to answer questions. Outside of the depositions, he disclosed to Mother that he had been diagnosed with bipolar disorder and attention-deficit/hyperactivity disorder.

Mother testified that the children were covered under Father's insurance and under Medicaid. She testified that there had been issues with Father not paying bills that he was required to pay, and she was concerned that the children were going to be kicked out of services due to nonpayment of a bill with Behavioral Framework.

### **G.**

#### **Father**

Father testified that he lived with Mr. Curry in a four bedroom, two-and-a-half-bathroom home. The house had enough space that F.C. and L.C. could each have their own bedroom. Father testified that, when he had access to the children, he played with them in the yard, took them on wagon rides in the neighborhood, and brought them to parks.

Father testified that he had done nothing but love and care for the children. He noted that he provided therapy for the children, and he "went to look and try to get new services as soon as they were done with [Basal]." He was fighting for the children's best interests, and he worked with the children through their ABA therapies. Father stated that he did everything that the therapists recommended, and he was attentive to the children's needs. He was involved with the children's IEPs at school.

Father has a bachelor's degree in cybersecurity, and he had been looking for cybersecurity jobs. He had been unable to secure employment for numerous reasons,

including that the divorce proceedings had caused him to go into significant debt, which prevented him from obtaining a security clearance. Father also testified that Mother had deleted some of his files from the parties' shared desktop when she removed his user profile from her computer.<sup>5</sup>

Father testified that he was terminated from his position at FedEx. He denied that the termination resulted from his failure to show up for work. He stated that he was terminated in relation to a performance review.

Father believed that Mother was making the case "strictly about money," whereas he was "trying to make it about love" and having the children with him. Father believed that Mother had the ability to work and chose not to. He stated that he is disabled and dealing with constant pain in his back and legs. He testified that Mother was receiving \$2,200 a month from Father's \$4,200 VA disability benefits.

Father acknowledged that he was being treated for depression that was caused during an overseas deployment while he was in the military. He refused, however, to answer questions related to medication that he had been prescribed, and whether he was seeing a psychiatrist or therapist. Father acknowledged that he refused to answer questions about his mental health diagnosis and whether he was seeing a therapist during his earlier depositions because he believed those questions violated state privacy laws.

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<sup>5</sup> Mother acknowledged that she deleted some of Father's documents from the family desktop, but she stated that she did so inadvertently.

## II.

### Court's Ruling

On October 3, 2025, the court issued an opinion and order. The court began by noting that it had reviewed the trial notes, “each and every exhibit entered into evidence,” and “the digital evidence submitted.” The court also read and reviewed the record of the first trial, which ended in a mistrial.<sup>6</sup> The court noted that the parties had reached an agreement regarding property issues while they were both represented by counsel, which resulted in their June 12, 2023 Partial Property Settlement Agreement.

The court granted Mother an absolute divorce on the grounds of irreconcilable differences. Regarding custody, the court noted that the children were “faced with significant developmental issues,” which required “a monumental parental time commitment for their care and to transport them to their schools and therapies.” The court found that, prior to the separation, Mother was the children’s primary caretaker, and the evidence was that, when Father was awake, “he was more interested in playing computer games than with the children.” As the children’s disabilities became more apparent, Mother’s parenting role expanded. She researched and located therapies that the children needed for their autism, and Mother was primarily responsible for implementing the therapy at home.

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<sup>6</sup> The Court noted that it normally would not have reviewed the transcripts of the earlier trial, but it did so at Father’s request.

Following the sale of the marital home, the parties attempted to co-parent the children, but this “failed irrevocably.” The court found that Mother had parented the children well and was a fit and proper parent for custody.

With respect to Father, the court stated that the most salient feature of his case “was his courtroom demeanor,” noting that the court had “never experienced anything like” Father’s behavior at trial. The court stated that it “would be an understatement” to describe Father’s courtroom behavior as mercurial. Based on the court’s review of the record from the first trial, it found that Father’s “persistent interruptions,” and his accusations against Mother, Mother’s counsel, and the trial judge disrupted the trial and caused the other judge to seriously question Father’s ability to parent the children.

The court stated that its first encounter with Father was at the pre-trial conference, where Father “exploded at [Mother]’s counsel causing the [c]ourt to order his removal.” As a result, the court arranged an alternate procedure for the conduct of the trial where Father would be removed from the courtroom if he was disruptive and participate via a computer located in the witness room with remote access to the courtroom. On the first day of trial, Father was removed from the courtroom within the first hour due to his disruptive behavior. The following day, Father began in the courtroom, but “before the noon recess his behavior deteriorated with persistent mumbling and verbal interruptions causing his removal once again.” Father participated remotely from the witness room for the remainder of the trial.

The court then gave examples of Father's behaviors, including the following: (1) he challenged the integrity of the court generally and the judge specifically; (2) he accused Mother's counsel of "staring at him in an attempt to intimidate him"; (3) while participating remotely, had to be muted multiple times per day; (4) despite a shortage of courtroom deputies, Father's actions "required the services of at least three deputies at all times, and on occasion as many as five." These observations led the court to question Father's mental stability, and it supported Mother's testimony that she was fearful of Father and needed to pull back from co-parenting with Father "based upon his mercurial demeanor."

The court found that Father was the primary financial provider for the family and "left [Mother] to tend to the children." The court pointed to testimony that Father worked at night and would sleep most of the day, and when he was awake, "he spent most of his time playing video games and in other online pursuits." The court also found that Father had held several jobs, but he lost these jobs due to his behavioral issues.

The court found that Father had "exhibited no ability to co-parent either effectively or respectfully to allow the parties to come to joint decisions regarding their children." The court found that, given the children's disabilities, "any form of joint legal custody, even with a tiebreaker, would result in a continuation of the turmoil that [ran] throughout the evidence in this case." The court found that Mother had been the primary caretaker of the children since birth, and that she was a fit and proper parent for the children. The court then granted Mother sole legal custody of F.C. and L.C.

Turning to physical custody, the court stated that it had no doubt that Father loved the children and that he could, on occasion, properly parent. Although Father's past behavior was concerning, it did "not rise to a level that would exclude [Father] from his children." The court then explained that it reviewed and considered the factors set forth in *Montgomery County v. Sanders*, 38 Md. App. 406 (1978), and *Taylor v. Taylor*, 306 Md. 290 (1986), and it considered Md. Code Ann., Fam. Law ("FL") §§ 9-101.1 and 9-201 (2025 Supp.).

The court found that Father's conduct toward Mother was abusive, which caused Mother to withdraw from communicating with Father. The court considered the children's physical and emotional security and protection from exposure to conflict and violence as part of its best interest analysis, and it found that Father's conduct was detrimental to the children. The court found that Mother was the parent who could care for the developmental needs of the children and promote their intellectual and cognitive growth. Mother exhibited the ability to meet the children's needs regarding education, socialization, and their mental and physical health. Father, meanwhile, "ha[d] serious drawbacks as a parent." The court noted that his continued conflict with Mother and the pressure he placed on her, "negates his ability to co-parent." Father's lack of self-control and his extreme fluctuations in temperament raised "significant questions as to his fitness as a parent."

The court then awarded Mother sole physical custody of F.C. and L.C. The court found that it was in the best interests of the children that Father "be given a chance to conduct himself as a loving father through a gradual reintroduction of his access." The

court found that Father needed to participate in ongoing counseling “to assist him with his mercurial temperament and in his growth as a father.”

The court then set forth a five-phase access schedule for Father to work towards obtaining a full access schedule, increasing access at each stage. The court ordered that during all phases, exchanges of the children were to be made through the supervised exchange program at Father’s current TSV provider.

If Father proceeded to phase four, he could have regular access every other weekend from Friday at 4:30 p.m. to Sunday at 4:30 p.m. Upon completion of 60 days of phase four, provided Father adhered to all conditions, continued mental health therapy, refrained from contacting Mother except through Our Family Wizard, had taken any medicine as prescribed, and completed all prior phases, the parties would follow that schedule, plus additional dates on holidays and vacation.

Regarding child support, the court noted that Mother was not employed and had no earned income. Mother and the children were “sustained by the support paid by [Father] and a good deal of assistance from [Mother’s] parents.” The court found that Mother could not maintain employment because the children’s needs “must be accommodated and their changing appointments kept,” which made Mother’s schedule irregular. Mother’s schedule was “not conducive to any type of employment,” and it was appropriate for the child support guidelines to include no income for Mother.

Turning to Father, the court noted that he also was unemployed. Father had, and lost, several jobs since returning to Maryland. He had earned his undergraduate degree,

and he had been seeking employment. The court found that he had the intelligence and skills to be employed, but without mental health treatment, the court was “skeptical of his ability to obtain and maintain employment.” Given Father’s “persistent outbursts in the courtroom, the high level of anger he readily displays, and his evident need to monitor and correct the ethics and morals of everyone around him,” the court found that it could not impute income to Father. The court used the child support guidelines worksheet and noted that it reflected no income for Mother and \$30 of extraordinary medical expenses. Father’s income was his VA disability monthly payment. The court found it to be in the children’s best interest that Father pay \$1,215 per month in child support. It ordered that payment to start on October 1, 2025. Father, however, owed \$13,609 in arrears. It ordered Father to pay this arrearage in the amount of \$300 per month until paid in full.

With respect to Mother’s request for alimony, the court stated that Mother’s “need for alimony [was] self-evident,” but it doubted Father’s employability given his mental health issues. It ordered Father to pay Mother a \$1.00 per month in alimony. The court ordered Father to pay Mother attorney’s fees in the amount of \$5,000.

On October 14, 2025, Father filed a motion for reconsideration, arguing that Mother and her counsel had acted in bad faith, that the court erred in its award of alimony and legal fees, and that there had been a violation “of state and federal law for invasion of [Father’s] privacy and mental health privilege.” October 22, 2025, the court granted Mother’s motion to dismiss the motion for reconsideration and issued its order granting a judgment of absolute divorce.

This appeal followed.

## **DISCUSSION**

### **I.**

#### **Alimony and Legal Fees**

Father, an unrepresented litigant who filed an informal brief, states that the first issue is “alimony and legal fees.” For supporting facts and argument, he states “[j]udicial [b]ias, violation of due process, ignoring prior orders, length of marriage, [and] retaliation.” Father argues that the court ignored the prior pendente lite orders, which did not order alimony or legal fees. Father contends that the circuit court retaliated against him when he filed motions for reconsideration regarding the judgment of absolute divorce and alimony, and it ignored evidence Father submitted regarding his financial statements.

Mother contends that Father cites no part of the record to support his allegations of judicial bias and violation of his due process rights, and therefore, these assertions should be denied as baseless. Mother argues that the court’s award of alimony was proper because the November 21, 2023 amended pendente lite support order awarded Mother child support “with an upward deviation, thus negating [Father]’s need for Pendent Lite Alimony.” Mother also argues that pursuant to FL § 11-106, whether alimony was “awarded or denied on a Pendente Lite basis is not a factor” that the circuit court must consider. Mother asserts that indefinite alimony was appropriate, and \$1.00 per month was a justifiable amount. Addressing Father’s claim that the court failed to consider his financial circumstances, including his financial statement, Mother asserts that Father never introduced a financial

statement, and therefore, this argument is baseless. With respect to attorney’s fees, Mother notes that the court awarded fees under Maryland Rule 1-341, which was supported by Father’s actions, which were unjustified and made in bad faith.

**A.**

**Standard of Review**

When reviewing the circuit court’s award of alimony, we will not reverse the judgment unless we conclude that “the trial court abused its discretion or rendered a judgment that was clearly wrong.” *Malin v. Mininberg*, 153 Md. App. 358, 414-15 (2003) (quoting *Crabill v. Crabill*, 119 Md. App. 249, 260 (1998)). We accord great deference to circuit court judges and affirm the circuit court’s findings of fact so long as they are not clearly erroneous, and the ultimate decision is not arbitrary. *Id.* at 415. Under the clearly erroneous standard, we “do[] not sit as a second trial court, reviewing all the facts to determine whether an appellant has proven his case.” *Thomas v. Cap. Med. Mgmt. Assocs., LLC*, 189 Md. App. 439, 453 (2009) (quoting *Goss v. C.A.N. Wildlife Trust, Inc.*, 157 Md. App. 447, 456 (2004)). A circuit court’s findings are generally not clearly erroneous “if there is competent or material evidence in the record to support the court’s conclusion.” *Gizzo v. Gerstman*, 245 Md. App. 168, 200 (2020) (quoting *Azizova v. Suleymanov*, 243 Md. App. 340, 372 (2019)).

In child custody proceedings, “[a]n award of attorney’s fees will not be reversed unless a court’s discretion was exercised arbitrarily or the judgment was clearly wrong.” *George v. Bimbira*, 265 Md. App. 505, 517 (2025) (quoting *David A. v. Karen S.*, 242 Md.

App. 1, 23 (2019)). “An abuse of discretion occurs ‘where no reasonable person would take the view adopted by the trial court’ or when the court ‘acts without reference to any guiding principles.’” *Id.* (quoting *Alexander v. Alexander*, 252 Md. App. 1, 17 (2021)).

**B.**

**Judicial Bias**

Although Father argues that the judge was biased, he does not point us to any place in the record to support this argument. As we have previously explained, it is not this Court’s responsibility to “delve through the record to unearth factual support favorable to appellant and then seek out law to sustain his position.” *Francis v. Francis*, 263 Md. App. 307, 321 (quoting *von Lusch v. State*, 31 Md. App. 271, 282 (1976)), *cert. denied*, 489 Md. 342 (2025).

We recognize that Father is a *pro se* litigant, and that he has filed an informal brief pursuant to Maryland Rule 8-502(a)(9). Even though appellants filing an informal brief are excused from the formal briefing requirements set forth in Rules 8-501 through 504, they are still required to follow the Guidelines for Informal Briefs, which are provided on the Court’s Website.<sup>7</sup> Under the Guidelines:

the appellant must identify issues that explain why the trial court erred or made a mistake in deciding the case and why the decision should be reversed or modified. The issues presented in the informal brief should be stated concisely with a description of the facts surrounding the issue and an argument supporting the resolution of the issue.

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<sup>7</sup> The Informal Briefing guidelines can be found here: <https://perma.cc/5NT5-PNEY>.

Guidelines for Informal Briefs (b)(2).

Accordingly, Father’s *pro se* status does not excuse his noncompliance with the requirements for an informal brief. *See Dep’t of Labor, Licensing and Regul. v. Woodie*, 128 Md. App. 398, 411 (1999) (“It is a well-established principle of Maryland law that *pro se* parties must adhere to procedural rules in the same manner as those represented by counsel.”); *Tretick v. Layman*, 95 Md. App. 62, 68 (1993) (“The principle of applying the rules equally to *pro se* litigants is so accepted that it is almost self-evident.”). Because Father has not cited to any place in the record where judicial bias occurred, we shall not consider this claim.

### C.

#### **Alimony**

With respect to alimony, Father contends that: (1) the court ignored prior pendente lite orders, which did not grant alimony; and (2) it retaliated against him by denying his motion for reconsideration. Addressing the retaliation claim first, we note that Father cites no case, and we are not aware of one, that holds that the mere denial of a motion of reconsideration constitutes retaliation.

With respect to the claim that the court ignored the July 17, 2023 pendente lite order that did not award alimony, he cites no authority to support his argument that the court must consider that as a factor in awaiting alimony. In any event, the court explained its reasoning for awarding \$1 a month in alimony. The court found that Mother’s need for alimony was “self-evident,” but it doubted that Father would be able to obtain and maintain

employment until he received treatment for his mental health issues. The court stated that it believed that Father was intelligent, and his “employment prospects would be greatly enhanced with mental health treatment.” Accordingly, the court awarded alimony in the sum of \$1.00 per month so that if Father became employed and financially able to support Mother and the children, Mother could request an adjustment in the monthly alimony sum.

As discussed, we will affirm the circuit court’s award of alimony as long as any findings of fact are not clearly erroneous, and the ultimate decision is not arbitrary. *Malin*, 153 Md. App. 415. There is substantial evidence in the record, as the court discussed in its order, supporting the award of alimony. Accordingly, we will not disturb the court’s alimony award.

**D.**

**Attorney’s Fees**

On the issue of attorney’s fees, the court awarded legal fees pursuant to Md. Rule 1-341(a), which allows a court to award legal fees after finding that a party maintained a proceeding in “bad faith or without substantial justification.” The court found that Father’s conduct prolonged this case, noting that Father refused to answer questions about his mental health, which caused Mother to file a motion to compel and participate in a second deposition, where he still refused to answer questions. The court also found other actions by Father that unnecessarily prolonged the case, causing Mother additional legal fees.

There is substantial evidence in the record, as the court discussed in its order, supporting its finding that Father acted in bad faith. Accordingly, we conclude that the court did not abuse its discretion in its award of attorney's fees.

## II.

### **Legal Custody and Physical Custody**

Father contends that the court erred in granting Mother legal and physical custody. He again argues judicial bias, adding witness intimidation to this claim. He argues that the circuit court ignored evidence because it failed to mention it in its opinion.

Father also contends that the court struck "motions post-divorce that hold[] judges accountable for violating state law, federal law, and [Father's] 14th amendment." He argues that the court disregarded him when he raised concerns that his due process rights "from a prior case from April 2024" were violated, and the court was "more concerned covering for judicial colleague[s] violating [Father's] 14th amendment."

Mother contends that Father's contention that his constitutional rights had been violated is not supported by the record. Mother asserts that the court agreed to consider all prior exhibits and testimony from any prior hearings. Moreover, after the initial proceeding, the court granted Father a new trial, where he "was given every opportunity to present any evidence or witnesses he felt were necessary to prosecute or defend his case."

A.

**Standard of Review**

We review child custody determinations utilizing three interrelated standards of review. *In re Yve S.*, 373 Md. 551, 586 (2003). These interrelated standards are as follows:

When the appellate court scrutinizes factual findings, the clearly erroneous standard of [Rule 8–131(c) ] applies. [Second,] if it appears that the [court] erred as to matters of law, further proceedings in the trial court will ordinarily be required unless the error is determined to be harmless. Finally, when the appellate court views the ultimate conclusion of the [court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [court's] decision should be disturbed only if there has been a clear abuse of discretion.

*Gillespie v. Gillespie*, 206 Md. App. 146, 170 (2012).

“[I]t is within the sound discretion of the [circuit court] to award custody according to the exigencies of each case.” *Id.* at 171 (quoting *In re Yve S.*, 373 Md. at 585-86). A reviewing court may interfere with the circuit court’s determination only on a clear showing of abuse of that discretion. *Id.* The circuit court is granted such discretion because it is “in a far better position than is an appellate court, which has only a cold record before it, to weigh the evidence and determine what disposition will best promote the welfare of the minor.” *Id.* (quoting *In re Yve S.*, 373 Md. at 586). “To constitute an abuse of discretion, the decision ‘has to be well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable.’” *Cousins v. State*, 231 Md. App. 417, 438 (quoting *Evans v. State*, 396 Md. 256, 277 (2006)), *cert. denied*, 453 Md. 13 (2017).

**B.**

**Judicial Bias and Intimidation**

We reiterate that, for the reasons expressed, *supra*, Father has not properly presented a claim for judicial bias. Accordingly, we shall not address this claim. We reach the same conclusion with respect to his claim of witness intimidation, which, in its entirety, states “witness intimidation,” with no further details.<sup>8</sup>

**C.**

**Custody Analysis**

Father has supplied no citations to the record to support his contention that the circuit court failed to consider evidence that he submitted. Accordingly, we shall not consider this contention.

With respect to the ultimate custody ruling, after reviewing the record, we conclude that the court did not abuse its discretion in awarding custody to Mother. As set forth, *supra*, when making its child custody determination, the court thoroughly reviewed the facts. The court stated that it reviewed “its trial notes, read each and every exhibit entered into evidence, and ha[d] viewed the digital evidence submitted.” The court reviewed the

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<sup>8</sup> Even if we were inclined to reach the issue, we did not see any evidence to support reversal on this ground. We note that, on day five of the hearing, while Father was testifying, he began talking out of turn. The court stated: “Doggone it. Mute him. . . . I have to mute you when you insist on talking. You’re on the stand. You can’t do that. How many times have I said that already?” Father then stated: “Your Honor, please stop slamming your fist to try to intimidate me.” The court then requested that Father be muted, and he told Father to let him know when he was “ready to follow rules.” The proceeding then continued. Given the totality of the circumstances here, we would not conclude that the court improperly attempted to intimidate Father.

record of the first trial, which ended in a mistrial. The court noted that it typically would have refrained from reviewing the prior trial, but it reviewed it in this case based upon Father's request. The court stated that it evaluated the factors derived from *Montgomery County v. Sanders*, 38 Md. App. 406 (1977), and *Taylor v. Taylor*, 306 Md. 290 (1986).

Based on its review of the entire case, the court found Mother to be a fit and proper parent for custody. The court found that Father had "no ability to co-parent either effectively or respectfully to allow the parties to come to joint decisions regarding their children." Accordingly, the court granted Mother sole legal custody of both children.

On the issue of physical custody, the court concluded that Father's actions had a detrimental effect on the children. The court found that it was in the best interest of the children to afford Father the chance to "conduct himself as a loving father through a gradual reintroduction of his access," and it then established the five-phase access schedule.

Given the court's review of the entire record, its application of the *Sanders* and *Taylor* factors, and its explanation of how it arrived at its custody determination, we cannot conclude that its decision regarding child custody was an abuse of discretion.

**JUDGMENTS OF THE CIRCUIT COURT  
FOR FREDERICK COUNTY AFFIRMED.  
COSTS TO BE PAID BY APPELLANT.**