Circuit Court for Harford County
Case Nos.: C-12-JV-23-000204; C-12-JV-23-000205

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2087

September Term, 2025

IN RE: G.U. & J.U.

Wells, C.J.
Nazarian,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Wells, C.J.

Filed: April 15, 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 Rule 1-104(a)(2)(B).

Je.U.[1] ("Mother"), appellant, is the biological mother of G.U. and J.U. This case arises from the Circuit Court for Harford County's November 24, 2025 order denying Mother's motion to revoke her consent to terminate her parental rights. Mother timely appealed this denial and presents the following questions for our review:

I. Whether the court erred in denying Mother's motion to revoke her consent to terminate parental rights; and

II. Whether the court erred in taking away Mother's parental rights without including the children's maternal grandmother as a party to the proceedings.

For the reasons that follow, we conclude the court's denial of mother's motion to revoke consent was neither a final judgment nor an appealable interlocutory order. We further conclude the non-inclusion of the children's grandmother as a party is moot since the grandmother passed away in 2024. Therefore, we dismiss the appeal.

BACKGROUND

The Harford County Department of Social Services ("the Department"), appellee, removed G.U. and J.U. from Mother's care in May 2022 and placed them with Ms. J, a foster parent. The Department intervened because of Mother's concerning "mental health and cognitive limitations" as well as "the deplorable conditions, physical health, and

[1] To protect the parties' identities, we refer to them by randomly chosen initials.

minimization of" the children's grandmother ("Grandmother").[2] In June 2022, the court determined G.U. and J.U. to be children in need of assistance ("CINA").[3]

The Department filed for guardianship of the children in October 2023. At a guardianship hearing on June 17, 2024, Mother agreed to terminate her parental rights to facilitate the children's adoption by their foster mother. The court ordered the termination of parental rights on July 3, 2024, and granted guardianship of G.U. and J.U. to the Department.[4]

Due to concerns about G.U.'s behavioral and emotional well-being, the Department placed him into care at St. Vincent's Villa[5], where he continues to reside as of filing this

[2] Grandmother passed away on November 3, 2024.

[3]Md. Code Ann., Courts and Judicial Proceedings Article ("CJ") § 3-801(f) defines a child in need of assistance as:

> a child who requires intervention because:
>
> (1) The child has been abused, has been neglected, has a developmental disability, or has a mental disorder; and
>
> (2) The child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's needs.

[4] The children's father did not "file a timely notice of objection after being served with a show-cause order" and, as such, was determined to have consented to the termination of his parental rights. *See* Md. Code Ann., Fam. Law § 5-320(a)(1)(iii)(1)(C).

[5] "St. Vincent's Villa provides comprehensive behavioral health treatment within a therapeutic, residential setting for children under the age of 13 who have not adequately responded to community-based interventions." *St. Vincent's Villa*, CATHOLIC CHARITIES, https://cc-md.org/programs/st-vincents-villa/ [https://perma.cc/3PPY-PNT9] (last visited Mar. 25, 2026).

appeal. J.U. remained in the care of Ms. J, where he has resided since he left Mother's home. At guardianship review hearings on December 2, 2024 and June 2, 2025, the court found it was in the best interest of the children to remain under the guardianship of the Department until G.U.'s discharge from St. Vincent's Villa and the children's subsequent adoption by Ms. J. Mother appealed on June 20, 2025, but later submitted a notice of voluntary dismissal, which was this Court granted on July 15, 2025.

On November 12, 2025, Mother filed a motion to rescind her consent to terminate her parental rights, claiming her consent was predicated upon J.U.'s and G.U.'s adoptions by Ms. J, and further claiming the Department's continued guardianship of the children, because of G.U.'s ongoing institutionalization at St. Vincent's Villa, violated that condition. The court denied the motion on November 24, 2025. Mother appealed.

STANDARD OF REVIEW

When reviewing CINA cases, we apply "three interrelated standards of review." *In re T.K.*, 480 Md. 122, 143 (2022). Factual findings are reviewed for clear error, matters of law are reviewed de novo, and ultimate conclusions of law and fact are reviewed for abuse of discretion. *Id*.

DISCUSSION

I. The Court's Denial of Mother's Motion to Revoke Consent is Not Appealable.

We must first address the Department's motion to dismiss the appeal, which argues that the court's denial of Mother's motion to revoke her consent to terminate her parental rights is not an appealable final judgment or interlocutory order. We agree.

a. The Final Judgment Requirement

Under CJ § 12–301, "a party may appeal from a final judgment entered in a civil or criminal case by a circuit court. The right of appeal exists from a final judgment entered by a court in the exercise of original, special, limited, statutory jurisdiction, unless…[it] is expressly denied by law." Maryland Rule 2-602(a) outlines when an order does not constitute an appealable final judgment:

> **(a) Generally.** Except as provided in section (b) of this Rule, an order . . . that adjudicates fewer than all of the claims in an action (whether raised by original claim, counterclaim, cross-claim, or third-party claim), or that adjudicates less than an entire claim, or that adjudicates the rights and liabilities of fewer than all the parties to the action:
>
> (1) is not a final judgment;
>
> (2) does not terminate the action as to any of the claims or any of the parties; and
>
> (3) is subject to revision at any time before the entry of a judgment that adjudicates all of the claims by and against all of the parties.

As the Supreme Court of Maryland stated in *Rohrbeck v. Rohrbeck*:

> If a ruling of the court is to constitute a final judgment, it must have at least three attributes: (1) it must be intended by the court as an unqualified, final disposition of the matter in controversy, (2) unless the court properly acts pursuant to Md. Rule 2–602(b), it must adjudicate or complete the adjudication of all claims against all parties, and (3) the clerk must make a proper record of it in accordance with Md. Rule 2–601.

318 Md. 28, 41 (1989). In determining the finality of a judgment, we must ascertain whether there was "any contemplation that a further order be signed or that anything more be done." *Walbert v. Walbert*, 310 Md. 657, 661 (1987).

As a preliminary matter, the court's denial of Mother's motion to revoke consent is not a final judgment. As our Supreme Court has noted, "to be appealable a judgment must be so final as to determine and conclude rights involved, or deny the appellant means of further prosecuting or defending his rights and interests in the subject matter of the proceeding." *In re C.E.*, 456 Md. 209, 220 (2017) (quotation marks and citations omitted).

It is important to distinguish between the court's order terminating Mother's parental rights based on her consent thereto and the court's denial of Mother's motion to revoke that consent. While the order granting guardianship and terminating Mother's parental rights *may* have constituted a final judgment as it deprives her of any ongoing rights in the proceeding, Mother does not appeal that decision here. Indeed, that order was issued in July 2024, and, as such, the deadline for appealing has passed. *See* Maryland Rule 8-202(a).[6]

Instead, Mother appeals the order denying her motion to revoke her consent. This denial, however, does not change Mother's status or resolve any issues of conflict. Prior to the filing of her motion, Mother's parental rights were terminated, and the Department was granted guardianship of G.U. and J.U. until such time as they were adopted by their foster mother. After the denial of Mother's motion, the status of her parental rights and the children's permanency plan remained the same. Because the order "adjudicates less than

[6] Rule 8-202(a) states: "Except as otherwise provided in this Rule or by law, the notice of appeal shall be filed within 30 days after entry of the judgment or order form which the appeal is taken. In this Rule, 'judgment' includes a verdict or decision of a circuit court to which issues have been sent from an Orphans' Court."

an entire claim," the court's denial of Mother's motion to revoke consent to terminate her parental rights is not an appealable final judgment. Maryland Rule 2-602(a)(1).[7]

b. Exceptions to the Final Judgment Requirement

As the court's decision on Mother's motion is not a final judgment, it is not appealable unless it falls into three exceptions "[1.)] appeals from interlocutory orders specifically allowed by statute; [2.)] immediate appeals permitted under Maryland Rule 2–602; and [3.)] appeals from interlocutory rulings allowed under the common law collateral order doctrine." *Salvagno v. Frew*, 388 Md. 605, 615 (2005).

i. Interlocutory Appeals Permitted by Statute

We agree with the Department that the denial of Mother's motion is not reviewable by us as an interlocutory appeal permitted by CJ § 12-303. The only allowable appeal listed in this section that may apply to Mother is CJ § 12-303(3)(x). This subsection provides that a party may appeal an interlocutory order "[d]epriving a parent, grandparent, or natural

[7] Rule 2-602 states: "(a) Generally. Except as provided in section (b) of this Rule, an order or other form of decision, however designated, that adjudicates fewer than all of the claims in an action (whether raised by original claim, counterclaim, cross-claim, or third-party claim), or that adjudicates less than an entire claim, or that adjudicates the rights and liabilities of fewer than all the parties to the action: (1) is not a final judgment; (2) does not terminate the action as to any of the claims or any of the parties; and (3) is subject to revision at any time before the entry of a judgment that adjudicates all of the claims by and against all of the parties.

(b) When Allowed**.** If the court expressly determines in a written order that there is no just reason for delay, it may direct in the order the entry of a final judgment: (1) as to one or more but fewer than all of the claims or parties; or (2) pursuant to Rule 2-501 (f)(3), for some but less than all of the amount requested in a claim seeking money relief only.

guardian of the care and custody of his child, or changing the terms of such an order[.]" CJ § 12-303(3)(x). Again, the court's denial of Mother's motion to revoke her consent to terminate her rights did not deprive her of the care and custody of her children or change the terms of the permanency plan in any way. Both before and after the court's ruling on the motion, Mother's parental rights had been terminated, G.U. and J.U. were under the guardianship of the Department, and their foster mother planned to adopt them upon G.U.'s discharge from St. Vincent's Villa. As the court's ruling on this motion did nothing to change Mother's parental rights or the terms of the permanency plan, it cannot be considered a statutorily appealable interlocutory order under CJ § 12-303(3)(x).

ii. Immediate Appeals Allowed under Maryland Rule 2-602(b)

This appeal is also not permitted under Maryland Rule 2-602(b), which allows for the appeal of an interlocutory order "[i]f the court expressly determines in a written order that there is no just reason for delay[.]" The court made no such explicit finding in this case. As such, the court's interlocutory order denying Mother's motion to revoke consent does not fall within this exception.

iii. Collateral Order Doctrine

Mother's appeal of the denial of her motion is also not permissible under the collateral order doctrine, which defines an appealable collateral order as one that:

> (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.

Ehrlich v. Grove, 396 Md. 550, 563 (2007) (quoting *Pittsburgh Corning Corp. v. James*, 353 Md. 657, 661 (1999)). To qualify as an appealable collateral order and "fall within this exception to the ordinary operation of the final judgment requirement, each of the four elements must be met." *In Re Franklin P.*, 366 Md. 306, 327 (2001).

The court's denial of Mother's motion to revoke consent to terminate her parental rights does not satisfy any of the four requirements, let alone all of them. The order in question does not "conclusively determine the disputed question" or "resolve an important issue[.]" *Id*. (quotation marks and citations omitted). The court's order granting guardianship to the Department and terminating Mother's rights certainly satisfied these two elements, but the denial of Mother's motion to revoke consent thereto does not; it simply maintains the status quo. Additionally, the order on Mother's motion implicates her parental rights, which are a central part of these proceedings and not "separate from the merits of the action[.]" *Id*. Finally, a slight delay to await the entry of a final judgment would not render the court's denial of the motion "effectively unreviewable[.]" *Id*.

Based on the foregoing, the court's denial of Mother's motion to revoke consent to terminate parental rights is not a final judgment and does not fall within one of the exceptions to the final judgment rule. As such, it is not suitable for appellate review.

II. Non-Inclusion of Grandmother in the Proceedings is Moot.

Mother also asserts that the court erred in not listing Grandmother as an interested party and notifying her of the guardianship proceedings. We recognize that Grandmother and Mother had joint custody of G.U. prior to the Department's intervention, but we need

not address this argument as Grandmother died on November 3, 2024. Even if we were to find error in the court's failure to include Grandmother in the guardianship proceedings, we cannot now instruct the circuit court to add her to the case. Because "there is no longer any effective remedy which the court can provide," the issue is moot, and the appeal is dismissed. *In re O.P.*, 470 Md. 225, 249 (2020); Maryland Rule 8-602(c)(8).

APPEAL DISMISSED. APPELLANT TO PAY THE COSTS.