

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2120

September Term, 2023

RYAN L. JOHNSON, JR., *et al.*

v.

JENNIFER SULLIVAN, *et al.*

Zic,
Ripken,
Getty, Joseph M.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Ripken, J.

Filed: November 19, 2024

*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).

This case initiated as a medical malpractice action. More than two months following the entry of final summary judgment as to all parties, the Appellants filed a revisory motion, asserting that their filing of a second amended complaint precluded entry of summary judgment in favor of the Appellees. The motion was denied, and Appellants appealed. Upon review of a motion to dismiss filed by Appellees, this Court has previously determined that:

[b]ecause the appellants did not file their revisory motion within 10 days of the entry of the [circuit] court’s judgment, the motion did not toll the time for filing a notice of appeal. *See* Md. Rule 8-202(c). Thus, because the appellants’ December 22 notice was filed more than 30 days following entry of the [circuit] court’s final judgment, it was untimely with respect to that order. *See* Md. Rule 8-202(a). That said, the notice was filed within 30 days of the [circuit] court’s order denying the appellants’ October 27 revisory motion and is therefore timely with respect to that order. *See Estate of Vess*, 234 Md. App. 173, 204–05 (2017).

Based on this reasoning, this Court ordered “that the scope of review in this appeal is limited to the circuit court’s December 5, 2023, order denying the appellants’ revisory motion.” Hence, the question for review is limited to the following:

Whether the circuit court abused its discretion in denying Appellants’ revisory motion.¹

For the reasons that follow, we shall affirm the order of the circuit court.

¹ Appellants phrased their question presented as follows: “Whether the Circuit Court erred when it entered judgment in favor of the Defendants without hearing any argument related to Summary Judgment on issues raised in the Second Amended Complaint and denying the Plaintiff(s)[’] requests for Clarification without a hearing?”

FACTUAL AND PROCEDURAL BACKGROUND

Commencement of the Action and Discovery Issues

This action commenced as a medical malpractice action filed in the Circuit Court for Baltimore City. In the first amended complaint, Appellants² asserted that the Appellees³ breached medical standards of care in relation to Ryan Johnson, Sr., (“the decedent”) which Appellants asserted resulted in his death. Appellees all answered the amended complaint.

As the action progressed, a discovery dispute developed between the Hospital Appellees and Appellants. The Hospital Appellees served discovery requests on Appellants in April of 2022. After receiving no responses, they moved to compel the responses. The circuit court granted this unopposed motion in June of 2022, ordering production of responses, and cautioning Appellants that failure to comply could result in the imposition of sanctions. After Appellants’ continued failure to provide discovery responses, the Hospital Appellees moved for sanctions, which were granted. The circuit court then imposed sanctions, ordering that Appellants were:

precluded from supporting claims and/or introducing evidence in support of claims that Defendants, Jennifer L. Sullivan, M.D., and Sinai Hospital of Baltimore, Inc., committed a breach of duty and/or breach of the medical standards of care, that any alleged breach of duty and/or breach of the medical standards of care was a proximate cause of any alleged injuries

² The Appellants are Ryan L. Johnson Jr., and Wallace Roberts, as Personal Representative for the Estate of Ryan L. Johnson. For simplicity, we refer to them collectively as “Appellants.”

³ The Appellees are Dr. Jennifer Sullivan; Sinai Hospital of Baltimore, Inc.; LifeBridge Health, Inc.; and Dr. Jian Zhang. We refer to Sullivan, Sinai, and Lifebridge collectively as “Hospital Appellees;” we refer to the Hospital Appellees and Zhang collectively as “Appellees.”

and/or damages, and from introducing evidence and/or itemization of any damages claimed[.]

The circuit court’s order also precluded Appellants from introducing evidence at trial that were “the subject of [Appellees’] written discovery requests propounded to [Appellants], and which have gone unanswered.” Appellants sought revision and appellate review of this order but were unsuccessful.

Summary Judgment and Second Amended Complaint

Following entry of the sanctions order, the Hospital Appellees moved for entry of summary judgment in their favor. They asserted that because Appellants were precluded from introducing evidence concerning any alleged breach of duty or of proximate causation, as a matter of law, Appellants were unable to generate a genuine dispute of material fact concerning the elements of their claims. Several months after the Hospital Appellees moved for summary judgment, Appellants filed a second amended complaint. The second amended complaint did not contain any new counts or causes of action.

The circuit court conducted a hearing on the motion in April of 2023, and entered an order granting the Hospital Appellees’ motion. In the order, the circuit court stated that “judgment shall be entered in favor of” the Hospital Appellees “at the close of the case.” The Hospital Appellees later sought clarification from the circuit court as to the timing of the summary judgment order. Based on this request, the court issued a clarifying order directing immediate entry of summary judgment with respect to the Hospital Appellees. This judgment was entered on July 17, 2023. At that time, Appellants’ claims with respect to Dr. Zhang remained pending.

In the interim, the circuit court considered the claims against Dr. Zhang, the sole remaining defendant. Dr. Zhang separately moved for summary judgment in May of 2023, asserting that Appellants could not prove their claims against him because Appellants' sole expert witness could not and did not offer an opinion that Dr. Zhang had breached any standard of care with respect to the decedent's treatment. Following a hearing, the circuit court granted Dr. Zhang's motion, entering summary judgment in his favor on August 16, 2023. Subsequent to the entry of that judgment, there were no remaining claims or parties. No motion pursuant to Maryland Rule 2-534 that would toll the time to file an appeal was filed within ten days of this order; nor was any appeal per Maryland Rule 8-202(a) noted within thirty days of this order's entry.

First Revisory Motion

Fifteen days subsequent to the entry of the summary judgment order as to the Hospital Appellees, Appellants filed their first revisory motion. Seeming to misunderstand the posture of the case, Appellants argued that the filing of their second amended complaint precluded entry of summary judgment. Based on "confusion," Appellants argued that the circuit court should exercise revisory power pursuant to Maryland Rule 2-535(b) and (d) and strike the judgment entered in favor of the Hospital Appellees to allow the claims in their second amended complaint to proceed.

On October 18, 2023, the circuit court entered an order denying Appellants' first revisory motion.

Second Revisory Motion

On October 27, 2023, Appellants filed their second revisory motion, styled as a “Motion to Alter or Amend Judgment” based on Maryland Rule 2–534 and Maryland Rule 2–535. This motion was filed 102 days following entry of summary judgment as to the Hospital Appellees and 72 days following entry of summary judgment as to Dr. Zhang. Appellants characterized the circuit court’s entry of summary judgment in July of 2023 as premised on the Hospital’s request for clarification rather than on a motion for summary judgment. Appellants asserted that because they filed a second amended complaint, the summary judgment order from April of 2023 should have related solely to the first amended complaint. Appellants also contended that they had been denied due process, and that the circuit court was required to hold a hearing on their motion. Based on these assertions, Appellants argued that the court “should reconsider its decision and amend the judgment, strike the judgment in favor of the [Hospital Appellees], [o]rder judgment in favor of [Appellants]” or alternatively set a hearing.

The Hospital Appellees opposed Appellants’ motion, correcting the mischaracterizations of the procedural history. They argued that no new response to the second amended complaint was required. They also argued that, to the extent Appellants sought review based on Maryland Rule 2–534, such a motion was not timely.

The circuit court denied Appellants’ second revisory motion by order entered December 5, 2023. Appellants noted an appeal on December 22, 2023.

DISCUSSION

A. Party Contentions

Appellants contend that entry of summary judgment was in error because they filed a second amended complaint that the Hospital Appellees did not answer after the Hospital had moved for summary judgment; therefore, summary judgment could only have been entered with respect to the earlier complaint, not the second amended complaint. Appellants also contend that the Appellees' failure to file an answer to the second amended complaint "could indicate a procedural lapse" by the circuit court and the clerk's office. Finally, Appellants argue that they were denied due process because their claims were summarily dismissed without a hearing on the merits. We understand Appellants' brief to suggest that there was irregularity with respect to entry of summary judgment in favor of the Hospital Appellees because Appellants amended their complaint after the summary judgment motion was filed but before summary judgment was entered.⁴ Based on this reading, we understand Appellants' contentions to suggest that the circuit court could have exercised its revisory power and that it abused its discretion in declining to do so.

Hospital Appellees argue that the circuit court did not abuse its discretion in denying the second revisory motion because the motion was not timely and there was no fraud, mistake, or irregularity shown that would allow the circuit court to revise the judgment. Hospital Appellees argue that Appellants' filing of a second amended complaint did not

⁴ It does not appear that Appellants' contention concerns Dr. Zhang, as he moved for summary judgment after Appellants amended their complaint. Appellants conceded at argument in this matter that contention does not apply to Dr. Zhang.

have any impact on the summary judgment granted in Hospital Appellees’ favor. They argue that they were not required to file a new answer to the second amended complaint. Finally, Hospital Appellees argue that Appellants were not denied due process because the circuit court held a summary judgment hearing, and no hearing was required for Appellants’ post-judgment motions.⁵

Dr. Zhang argues that the Appellants did not challenge entry of summary judgment as to him. He argues that because the revisory motions solely concern the judgment as to the Hospital Appellees, the appeal does not relate to summary judgment entered in his favor.

B. Standard of Review

“An appeal from the denial of a motion asking the [circuit] court to exercise its revisory power is governed by the abuse of discretion standard.” *Central Truck Center, Inc. v. Central GMC, Inc.*, 194 Md. App. 375, 397 (2010). Such an appeal “is not necessarily the same as an appeal from the judgment itself.” *Estate of Vess*, 234 Md. App. 173, 204–05 (2017) (internal citations omitted). The scope of review of an order denying a revisory motion is “limited to whether the trial judge abused [their] discretion in declining to reconsider the judgment.” *Id.* at 205 (quoting *Grimberg v. Marth*, 338 Md. 546, 553 (1995)). With respect to this standard, “the discretion of the trial judge is more than broad; it is virtually without limit.” *Steinhoff v. Sommerfelt*, 144 Md. App. 463, 484 (2002). “It is

⁵ Hospital Appellees also argue that Appellants were not permitted to file a second revisory motion. We do not reach this issue, as we affirm the decision of the circuit court on other grounds. We further note that Hospital Appellees did not raise this issue in the circuit court. Hence it is not preserved.

hard to imagine a more deferential standard than this one.” *Vess*, 234 Md. App. at 205. A circuit court’s denial of a motion to revise a judgment should be reversed only if the decision “was so far wrong—to wit, so egregiously wrong—as to constitute a clear abuse of discretion.” *Stuples v. Baltimore City Police Dep’t*, 119 Md. App. 221, 232 (1998).

“An abuse of discretion occurs ‘where no reasonable person would take the view adopted by the [trial] court’ or where the court acts ‘without reference to any guiding rules or principles.’” *Johnson v. Francis*, 239 Md. App. 530, 542 (2018) (quoting *Powell v. Breslin*, 430 Md. 52, 62 (2013)). “An abuse of discretion may also be found where the ruling under consideration is clearly against the logic and effect of facts and inferences before the court, or when the ruling is violative of fact and logic.” *Bord v. Baltimore County*, 220 Md. App. 529, 566 (2014) (quoting *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997)).

C. Background on Law Concerning Revisory Motions

A circuit court’s power to exercise revisory power over a judgment is governed by Maryland Rules 2–534 and 2–535. If a revisory motion is filed within thirty days of entry of the judgment, the circuit court has broad power to revise the judgment. Md. Rule 2–535(a). However, if a revisory motion is filed beyond thirty days after the entry of judgment, the circuit court may exercise its revisory power only upon a “clear and convincing showing of fraud, mistake, or irregularity, or failure of an employee of the court or of the clerk’s office to perform a duty required by statute or rule.” *Pickett v Noba, Inc.*, 114 Md. App. 552, 557 (1997) (citing Md. Rule 2–535(b)); *see also* Md. Code, Courts & Judicial Proceedings § 6–408. However, a court will only exercise its revisory power in

such an instance if, in addition to such a showing, “the party moving to set aside the enrolled judgment has acted with ordinary diligence, in good faith, and has a meritorious defense or cause of action.” *Pickett*, 114 Md. App. at 558.

When applying Rule 2–535(b), “Maryland courts have narrowly defined and strictly applied the terms fraud, mistake, and irregularity, in order to ensure finality of judgments.” *Peay v. Barnett*, 236 Md. App. 306, 321 (2018) (quoting *Pelletier v. Burson*, 213 Md. App. 284, 290 (2013)). Accordingly, for purposes of this rule, fraud is limited to extrinsic fraud—situations where collateral fraud prevents a dispute “from being submitted to the fact finder at all.” *Hresko v. Hresko*, 83 Md. App. 228, 232 (1990). Similarly, appellate courts “have interpreted ‘mistake’ narrowly to include jurisdictional error,” such as in circumstances where the circuit court never obtained personal jurisdiction over a party. *Powell*, 430 Md. at 71. For purposes of this rule, the term “irregularity” has been narrowly interpreted to mean procedural irregularity, or “a failure to follow required procedure or process.” *Id.* at 72 (citing *Early v. Early*, 338 Md. 639, 653 (1995)).

D. Analysis

Based on the previous order of this Court, and because Appellants’ second revisory motion was filed more than thirty days after the circuit court’s entry of the summary judgment order in July of 2023, Appellants’ second revisory motion was not timely under Rule 2–534 or Rule 2–535(a). However, Appellants’ second revisory motion did seek relief under Rule 2–535(b), which may be filed at any time. Appellants did not argue to the circuit court or to this Court that there was any extrinsic fraud or jurisdictional mistake in relation to entry of the summary judgment order. We understand their arguments surrounding the

amendment of the complaint to suggest that a procedural irregularity existed. We shall address each argument in turn.

i. The circuit court’s entry of the clarified summary judgment order was not a procedural irregularity.

Appellants assert that the circuit court should not have entered summary judgment in the Hospital Appellees’ favor because the second amended complaint superseded the pleading at issue. They argue that the entry of summary judgment improperly extinguished their second amended complaint without following summary judgment procedure that requires a hearing. In making this argument, Appellants suggest that entry of the initial summary judgment order was premised on the first amended complaint, and that their filing a second amendment to the complaint invalidated the relief sought by the Hospital Appellees.

We disagree with Appellants’ contention. Although an amendment may supersede an initial pleading,⁶ it does not serve to resurrect rights that have already been extinguished. *See Pharmacia Eni Diagnostics, Inc. v. Washington Suburban Sanitary Comm’n*, 85 Md. App. 555, 563 (1991) (holding that amendment filed by plaintiff could not resurrect its right to unilaterally dismiss a defendant); *see also Gonzales v. Boas*, 162 Md. App. 344, 355 (2005) (holding that a plaintiff’s amendment of her complaint did not restart her time for responding to requests for admission, which were already late). “Allowing the filing of an amended complaint to resurrect certain rights which were already lost would defeat the

⁶ *See Pomroy v. Indian Acres Club of Chesapeake Bay, Inc.*, 254 Md. App. 109, 119 (2022).

purpose of the limitations established in the rules.” *Gonzales*, 162 Md. App. at 355 (citing *Pharmaceia Eni Diagnostics, Inc.*, 85 Md. App. at 563).

In this case, the circuit court had already ruled, that as a discovery sanction, Appellants were prohibited from presenting evidence to support their claims concerning breach of duty or proximate cause. This sanction concerned “claims,” not the version of the complaint itself. Appellants’ filing of a second amended complaint—which did not add any new claims—could not resurrect rights already extinguished by the sanctions order. *Gonzales*, 162 Md. App. at 355. Even with a new complaint, Appellants were still prohibited from presenting evidence to prove breach of any duty or proximate cause. Regardless of the filing of the second amended complaint, Appellants would still be unable to prove their claim, and the Hospital Appellees’ request for entry of summary judgment applied equally to the first and second amended complaints.

As to Appellants’ argument concerning procedural irregularity, within the context of revisory motions, procedural irregularity has been very narrowly defined. The Supreme Court of Maryland has stated that an “irregularity,” as used in Rule 2–535(b), means “the doing or not doing of that, in the conduct of a suit at law, which, conformable to the practice of the court, ought or ought not to be done.” *Early*, 338 Md. at 652; *see also Velasquez v. Fuentes*, 262 Md. App. 215, 242 (2024) (same). “In other words, ‘an “irregularity” is a failure to follow required process or procedure.’” *Velasquez*, 262 Md. App. at 242 (quoting *Early*, 338 Md. at 652). A circuit court’s cure of a prior irregularity does not create a new irregularity. *Powell*, 430 Md. at 60, 72 (holding that although a circuit court clerk’s failure to mail copies of a summary judgment order was a procedural irregularity, the irregularity

was cured when a different circuit court judge vacated the prior order and “granted summary judgment anew” for the same reasons underlying the original order).

Under Rule 2–501(f), a circuit court is required to enter summary judgment in favor of the moving party “if the motion and response show that there is no genuine dispute as to any material fact and that the party in whose favor judgment is entered is entitled to judgment as a matter of law.” In general, when a party requests a hearing on a non-revisory motion, a circuit court is required to hold a hearing before rendering “a decision that is dispositive of a claim[.]” Md. Rule 2–311(f).

The circuit court followed the procedure required by these rules. The Hospital moved for summary judgment. A hearing was requested, which the circuit court held. Following that hearing, the circuit court entered judgment in favor of the Hospital Appellees, as it was required to do. This ruling was required as there was no dispute of material fact because the sanctions order precluded Appellants from presenting evidence and, hence, Appellants could not prove their claims. The circuit court followed the requisite procedure.

The circuit court’s April 2023 order granting the summary judgment motion stated that “[j]udgment shall be entered in favor of [the Hospital Appellees] **at the close of the case.**” (emphasis added). This language created ambiguity because, although summary judgment had been granted as to the Hospital Appellees, the case at that point was not closed because Dr. Zhang remained a defendant in the case. To the extent that this language constituted an irregularity, the court cured it by issuing its July 2023 order directing the clerk to promptly enter judgment in favor of the Hospital Appellees. *See Powell*, 430 Md.

at 72. That the cured summary judgment order—and for that matter, the original summary judgment order—had already extinguished Appellants’ claims, does not equate to the denial of Appellants’ valuable right(s) or denial of due process. The court followed proper procedure in clarifying the summary judgment order.

We hold the circuit court followed the procedure for summary judgment motions, and likewise, there was no procedural irregularity. However, to the extent a procedural error existed in the first order—a non-final order that said summary judgment would be entered at some point in the future—the circuit court’s July 2023 order cured the irregularity. There remained no further procedural irregularity with respect to that order. The circuit court therefore did not abuse its discretion in denying the second revisory motion on the basis that entry of the corrected summary judgment order was a procedural irregularity, because there was no irregularity.

ii. The Hospital Appellees’ failure to file an answer to the second amended complaint was not a procedural irregularity.

Appellants next argue that the Hospital Appellees’ failure to file a new answer to the second amended complaint “could indicate a procedural lapse[] on the part of the [circuit court] and [c]lerk’s [o]ffice.” We disagree with this contention.

As explained *supra*, “irregularity” within the context of a revisory motion has been narrowly construed to mean “a failure to follow required process or procedure.” *Thacker v. Hale*, 146 Md. App. 203, 219 (2002) (quoting *Early*, 338 Md. at 652). “Irregularities warranting the exercise of revisory powers most often involve a judgment that resulted from a failure of process or procedures by the clerk of a court,” such as failure to send

copies of notices or orders to a party. *Thacker*, 146 Md. App. at 119–20; *see also Velasquez*, 262 Md. App. at 242–43. An irregularity generated by the parties is not the kind of irregularity contemplated by Rule 2–535(b). *See Autobahn Motors, Inc. v. Mayor and City Council of Baltimore*, 321 Md. 558, 562 (1991).

In addition, Maryland does not require a party to file a new answer when a complaint is amended. Rule 2–341(a) states the following:

If an amendment introduces new facts or varies the case in a material respect, an adverse party who wishes to contest new facts or allegations shall file a new or additional answer to the amendment . . . within 15 days after service of the amendment If no new or additional answer is filed within the time allowed, the answer previously filed shall be treated as the answer to the amendment.

As is clear from the text of the rule, “if no additional answer is filed in response to an amended pleading, the original answer is treated as an answer to the amendment.” *Zdravkovich v. Siegert*, 151 Md. App. 295, 310 (2003). *See also Pomroy*, 254 Md. App. at 120 (same).

Here, the Hospital Appellees had previously filed an answer to Appellants’ first amended complaint in July of 2022. Although Appellants amended their complaint for the second time in March of 2023, the amended filing did not add any new claims. Filing a new answer to the second amended complaint would only have been required if the Hospital Appellees “wishe[d] to contest new facts or allegations.” Md. Rule 2–341(a). Because the Hospital Appellees did not file a new answer, the earlier answer served as the answer to the amendment. *Pomroy*, 254 Md. App. at 119–20.

Because the Hospital Appellees were not required to file a new answer to the amended complaint, their decision not to do so was not a procedural irregularity within the scope of Rule 2–535(b).⁷ The circuit court therefore did not abuse its discretion in denying the second revisory motion based on the purported failure to file an answer.

iii. The circuit court’s entry of summary judgment did not deprive appellants of due process and was not a procedural irregularity.

Appellants also contend that the circuit court’s failure to hold a hearing, and subsequent entry of summary judgment, which disposed of the jury demand, was a denial of their procedural rights and amounted to a procedural irregularity. To the extent Appellants are arguing that the circuit court was required to hold a hearing before entering summary judgment, it did so, as explained *supra*. To the extent Appellants are arguing that the circuit court was required to hold a hearing on either of the revisory motions, they are incorrect.⁸

In *Pelletier v. Burson*, 213 Md. App. 284, 292–93 (2013), this Court explained that orders denying motions for reconsideration are not orders within the ambit of Rule 2–

⁷ Even if a new answer was required, the failure to file a new answer would not have been an irregularity within the scope of Rule 2–535(b) because that failure would have been a failure of a party, not the failure of court personnel. See *Autobahn Motors, Inc.*, 321 Md. at 563.

⁸ In an apparent attempt to apply the procedural requirements for default judgment to the post-judgment motions that occurred in this case, Appellants spend several pages of their brief discussing *Pomroy*, complaining that none of the procedural events required prior to entry of default judgment occurred and therefore they were denied due process. *Pomroy* concerned the effect of a complaint amendment on the process of requesting a default. 254 Md. App. at 114–15. The process for moving to vacate an order of default pursuant to Maryland Rule 2–613—which is what occurred in *Pomroy*—is separate and distinct from the process for moving a circuit court to exercise its revisory power under Maryland Rule

311(f). We stated that “[a] dispositive decision is one that conclusively settles a matter. If the possibility that the court might reconsider or revise its decision would prevent that decision from being dispositive of a claim or defense,” then even final, appealable, judgments would not be dispositive, because they could still be subject to revision. *Pelletier*, 213 Md. App. at 292–93 (2013) (quoting *Lowman v. Consolidated Rail Corp.*, 68 Md. App. 64, 76 (1986)). We explained that “[b]y denying the motion for reconsideration, the court merely refused to change its original ruling[,]” and because the denial was not dispositive of a claim or defense, no hearing was required under Rule 2–311(f), even if one was requested. *Id.* at 293 (quoting *Lowman*, 68 Md. App. at 75).

Here, as explained above, the circuit court held a hearing on the Hospital’s summary judgment motion. The court entered judgment that was dispositive of Appellant’s claims as to the Hospital Appellees. Although Appellants requested hearings⁹ in each of their revisory motions, the circuit court was not required to hold a hearing on either revisory motion because it had disposed of Appellants’ claims as to the Hospital Appellees in the summary judgment order. *See Pelletier*, 213 Md. App. at 292. The circuit court’s denial of the revisory motions merely declined to change its original ruling. *Id.* The circuit court therefore followed the requisite procedure in denying the revisory motions without a hearing, and doing so was not “a failure to follow required procedure or process.” *Powell*,

2–535(b). Because no one in this case was seeking to vacate a default order, the Rule 2–613 procedural requirements described in *Pomroy* do not apply.

⁹ We note that neither of Appellants’ hearing requests followed the procedure prescribed in Rule 2–311(f), which requires movants to state in the title of the motion that a hearing is requested.

430 Md. at 72 (citing *Early*, 338 Md. at 653). As there was no procedural irregularity in the way hearings were conducted, the circuit court did not abuse its discretion in denying the second revisory motion on that basis.

Because Appellants failed to demonstrate the existence of any procedural irregularity, the circuit court could not exercise revisory power over the judgment under Rule 2–535(b), and therefore, it did not abuse its discretion in denying Appellants’ second revisory motion.

**JUDGMENT OF THE CIRCUIT COURT
FOR BALTIMORE CITY AFFIRMED.
COSTS TO BE PAID BY APPELLANTS.**