Circuit Court for Prince George's County
Case No. CAD06-26267

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 2196

September Term, 2019

STARSHA SEWELL

v.

JOHN HOWARD

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

JJ.

PER CURIAM

Filed: April 6, 2021

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

Starsha Sewell, appellant, appeals an order issued by the Circuit Court for Prince George's County denying her "Motion to Stay Income Withholding" (motion to stay) and "Md. Rule 2-551 Memoranda" in support of her request for in banc review. On appeal, she contends that the court erred in denying her request for in banc review and in denying her motion to stay. For the reasons that follow, we shall affirm the judgment of the circuit court.

Ms. Sewell and John Howard, appellee, are the parents of two minor children. On July 29, 2014, the circuit court entered an order granting Mr. Howard sole legal and physical custody of the children; denying Ms. Sewell visitation; and ordering Ms. Sewell to pay child support. Thereafter, Ms. Sewell filed numerous motions to vacate the custody order pursuant to Maryland Rule 2-535(b), claiming that the circuit court had lacked jurisdiction to enter the custody order and that various parties involved in her case, including the judge, the Assistant State's Attorney, the Prince George's County Police Department, and the Department of Social Services had engaged in fraudulent or discriminatory activity. The circuit court denied those motions in January 2018. Ms. Sewell appealed, and we affirmed, holding that the circuit court had jurisdiction to enter the 2014 custody order and that Ms. Sewell had failed to demonstrate the existence of any fraud, mistake, or irregularity that would have warranted the court vacating that judgment. *See Sewell v. Howard*, No. 2266, Sept. 2017 (filed August 31, 2018).

In April 2019, the court held a hearing to determine whether to hold Ms. Sewell in contempt for failing to pay child support. When Ms. Sewell did not appear at that hearing, the court issued a writ of body attachment. Ms. Sewell then filed a "MD Rule 2-235(b)

Motion" seeking to vacate the writ of body attachment on the basis of "extortion" and "threats." In that motion, Ms. Sewell again claimed that the court did not have jurisdiction to issue the original child support order. The court denied the motion without a hearing. The next day appellant filed a "Notice of In Banc Review," with respect to the denial of her motion to vacate the writ of body attachment. Several days later she also filed a "Md. Rule 2-551 Memoranda" in support of her request for in banc review.

The writ of body attachment was subsequently served on Ms. Sewell and a hearing was held on August 20, 2019 to address the contempt issue. Following the hearing, the court released Ms. Sewell from custody, withdrew any outstanding body attachments, and continued the contempt hearing until October 31, 2019, at which time Ms. Sewell was required to either present proof of employment or provide a list of three places a day where she had sought employment. At the October 31st hearing, the court continued the case to March 27, 2020. On November 26, 2019, Ms. Sewell filed the motion to stay. In support of that motion, she again alleged that the circuit court had lacked jurisdiction to enter the 2014 custody order. In January 2020, the court issued an order denying the "MD Rule 2-551 memoranda" and motion to stay. This appeal followed.

Ms. Sewell first asserts that the court erred in denying her request for in banc review of the court's order denying her "MD Rule 2-235(b) Motion" to vacate the writ of body attachment. However, an order denying a motion to quash a writ of body attachment is not a final judgment or an appealable interlocutory order. *See Nnoli v. Nnoli*, 389 Md. 315 (2005); *accord Cabrera v. Mercado*, 230 Md. App. 37, 101 (2016). And "when no appeal from a circuit court could be taken to the Court of Special Appeals . . . then no appeal can

be taken to a court in banc." Therefore, Ms. Sewell was not entitled to in banc review of her motion to vacate the writ of body attachment.

Ms. Sewell also contends that the court erred in denying her motion to stay. However, the claims that she raised in that motion, specifically that the circuit court lacked jurisdiction to enter the 2014 custody order, have been raised numerous times in her prior motions to vacate. Moreover, we have addressed those claims on appeal and held that they lacked merit. Thus, they are barred by the law of the case doctrine. *See Baltimore County v. Baltimore County Fraternal Order of Police, Lodge No. 4*, 220 Md. App. 596, 659 (2014) (noting that "neither the questions decided [by the appellate courts] nor the ones that could have been raised and decided are available to be raised in a subsequent appeal" (citation omitted)). Consequently, the court did not err in denying her motion to stay.

JUDGMENT OF THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.