

Circuit Court for Baltimore County
Case No.: 03-C-17-5437

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 2339

September Term, 2025

M. J.-H.

v.

J.H.

Berger,
Tang,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Wright, J.

Filed: June 30, 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 Md. Rule 1-104(a)(2)(B).

Under custody modification orders affirmed by this Court on October 24, 2025, J.H. (“Father”), appellee, has sole legal and primary physical custody of his three minor children with M.J.-H. (“Mother”),¹ who has custody on alternating weekends and two weeks of summer vacation. *See M.J.-H. v. J.H.*, No. 2317, Sept. Term, 2024 (filed Oct. 24, 2025) (the “Modification Orders” and “Modification Appeal”). While the Modification Appeal was pending, these parents’ frequent history of litigated conflict continued,² principally over transportation responsibilities, Mother’s vacation time, custody exchanges, and how those rights and responsibilities unfolded after Father enrolled B. for ninth grade at the new public high school where Father resides in Frederick, for the school year that began in August 2025.

Picking up the family’s legal narrative since the last appeal, we address Mother’s challenges to the following two orders by the specially assigned judge in the Circuit Court for Baltimore County: (1) a July 16, 2025 order enforcing the Modification Orders, by applying its provisions to “summer camps for the children, attendance at extracurricular activities and vacation time” (the “July 16 Order”); and (2) an August 20, 2025 order enforcing Father’s custody rights under the Modification Orders, after Mother, claiming vacation custody, refused to return the children (the “August 20 Order”).

¹ To protect the privacy of the parties and their minor children, we again use Mother’s and Father’s initials and refer to the children by the same random initials we used in the Modification Appeal: A. (DOB 2009), B. (DOB 2011); and C (DOB 2016).

² The Case Summary for this divorce action, which commenced on June 5, 2017, is currently 107 pages. This is the parties’ sixth appeal to this Court.

Because Mother did not move within ten days to revise, vacate, or reconsider either the July 16 Order or the August 20 Order, her time for noting an appeal from those orders did not extend beyond the thirty-day period immediately following each. In turn, because Mother did not file a notice of appeal within thirty days after either order, we agree with Father that this appeal is untimely as to both orders.

To the limited extent Mother’s January 5, 2026 notice of appeal *could* be timely, it would only be to challenge the court’s December 9, 2025 order denying her motion to reconsider a September 29, 2025 order that denied her motion to vacate the August 20 Order. Because Mother does not directly challenge the December 9 order, we agree with Father that Mother’s multi-motion modus operandi cannot save this appeal. Accordingly, we will grant Father’s motion to dismiss it.

FACTUAL AND LEGAL BACKGROUND

Given the dispositive untimeliness of Mother’s appeal, we present the relevant proceedings and pleadings in timeline format.

June 18, 2025: The circuit court held a hearing on Mother’s petition seeking to enforce certain terms in the Modification Order.

July 16, 2025: The court entered an order finding that “[t]he areas where enforcement of the [Modification Orders] is necessary at this time deal with summer camps for the children, attendance at extracurricular activities and vacation time.” Concluding that “summer camp attendance . . . is equivalent of school[,]” the court ordered both parents to “deliver the children to their summer camps on time” during their respective custody periods, including on Monday mornings when “Mother shall deliver the children to camp

at the appropriate time[.]” If not in camp or school, Mother was ordered to deliver them “to Father by 5:00 pm on the Monday that Mother’s visitation ends.” Similarly, for extracurricular activities, the court, reiterating how “important” they are “to the well being of the children in this case[.]” affirmed its prior order that if ““Mother is unable or unwilling to transport the children for their weekend activities, the child or children shall be returned to Father for transport to the activities[.]”” and cautioned that “[a]ny variance . . . would be considered as contempt and will be dealt with in the event contempt proceedings are held.”

August 19, 2025: By early morning email to the specially assigned judge that hears proceedings in this case, simultaneously copied to Mother, Father asked for emergency relief on the ground that Mother had refused to return the children at the court-ordered custody exchange time of 5:00 p.m. on Monday, August 18, 2025, claiming they were in her custody for vacation time that she was entitled to under the Modification Orders. According to Father, as a result of Mother’s refusal to let him pick up the children, B. missed a new student orientation session at his new school, when ninth graders “are shown around the school, meet their teachers, and receive their Chrome Books for the year.” B. also was at risk of missing his first day of classes on August 20.

The court emailed Mother and Father’s counsel “that it would hold a conference call at 1:30 p.m. on August 19, 2025 to hear this dispute.” Mother did not respond to that email; nor did she answer her phone when the court called. Instead, the judge did not join the call, but his assistant directed Father’s counsel to submit a proposed order resolving the disputes that were raised for resolution.

August 20, 2025: After affording Mother additional time to respond, the judge proceeded to order the immediate return of the children to Father by 5 p.m. that day. As a result, B. missed his first day of school.

In this order, the court found that, given its previous denials of “Mother’s motions to reconsider and to stay the” Modification Orders, “[h]er failure to return the minor children to Father on Monday, August 18, 2025, signifies her growing defiance and lack of regard for this Court’s orders.” The court ordered Mother to return all three children to Father’s custody by 5 p.m. that day. The court determined that, although Mother claimed it was her vacation week, Father had previously “advised . . . that her proposed vacation request conflicted with the start of school for [B.] and her vacation request was made untimely.”

To avoid future impediments to B.’s school attendance, the court specified custody exchange arrangements, ordering Father to pick up B. at 6:30 a.m. on school Mondays when he was with Mother, and Mother to “have [B.] ready for school prior to Father’s pickup time and . . . not [to] interfere with Father’s pickup . . . or delay the child from leaving her home[.]” The court cautioned that “if Mother interferes in any way with [B.’s] attendance at school or takes any action that results in [B.] arriving to school late, this Court will consider reducing Mother’s access time with [B.] so that he is returned to Father on Sunday nights rather than Monday morning.”

September 4, 2025: Mother filed a motion to vacate the August 20 Order.

September 29, 2025: The court denied Mother’s motion to vacate.

October 9, 2025: Mother filed a motion to reconsider the denial of her motion to vacate.

December 9, 2025: The court denied Mother’s motion to reconsider.

January 5, 2026: Mother filed a notice of appeal. In her accompanying Civil Appeal Information Report, among the relevant hearings she identified were the “June 18th 2025 and August 20th 2025” proceedings that resulted in the July 16 and August 20 Orders.

DISCUSSION

In her *pro se* appeal, Mother submits a fifteen-page informal brief and a five-page reply brief,³ enumerating eight issues that collectively challenge the July 16 and August 20 Orders,⁴ on grounds she sums up as follows:

Taken together, the errors presented across all issues demonstrate a pattern of abuse of discretion, procedural irregularities, denial of due process and fundamental liberty interests, clearly erroneous fact finding, etc; resulting from the Court’s reliance on improper procedures, extra record information, and the failure to apply the required legal standards. These were not isolated or harmless errors, but systemic irregularities that deprived [Mother] of a meaningful opportunity to be heard and resulted in orders unsupported by competent evidence.

In response, Father moves to dismiss this appeal. Invoking Md. Rules 8-602 and 8-603, he asserts three grounds for doing so.

³ Mother, as a self-represented appellant in this family law appeal, elected to file an informal brief, as permitted by Md. Rule 8-502(a)(9) and this Court’s Administrative Order dated December 19, 2022. Because “[i]nformal briefing in the Appellate Court is intended to provide meaningful review of issues raised by self-represented parties without requiring compliance with the technical requirements of Rules 8-501 through 8-504[,]” we may only “dismiss[] an appeal pursuant to Rule 8-602 for a reason other than failure to comply with” those rules. *See* Md. Rule 8-502, Committee Note.

⁴ In an attached appendix, we set forth the issues presented by Mother.

- First, Father contends that Mother’s “appeal is untimely, and the filing of ‘one motion after another’ does not toll the time for noting an appeal.”
- Second, he argues that “[t]his Court lacks jurisdiction . . . under the final judgment rule, because the circuit court’s interlocutory orders providing for transportation of the children to school and summer camp do not deprive [Mother] of custody.”
- Third, Father maintains that Mother “has not identified with sufficient clarity any grounds on which the July 1[6] and August 20 Orders should be reversed.”

On the merits, Father asks us to affirm both orders. In addition to the record supporting them, he contends “[t]here is no basis” for Mother’s procedural challenges to the proceedings by which the court decided the August 20 Order, because “[n]o hearing occurred” and the court predicated its order “on information provided via counsel’s email message seeking emergency relief sent at 8:13 a.m. on August 19[,]” on which Mother “was copied[,]” and on “other communications” for which she also received notice.

In reply, Mother disputes that her appeal is untimely, arguing that she filed her notice of appeal “on 1/5/26,” which “was within 30 days of the Court’s 12/9/25 denial of reconsideration and therefore timely, conferring jurisdiction on the ACM.”

We are not persuaded by Father’s contention that the July 16 and August 20 Orders relate only to transportation, so that they are not appealable interlocutory orders affecting custody. Both orders enforce the prior Modification Orders by adding terms that spell out specific rights and responsibilities governing custody exchanges and transportation. As such, under Md. Code, section 12-303(3)(x) of the Courts and Judicial Proceedings Article, they are appealable as interlocutory orders “[d]epriving a parent . . . of the care and custody of his child, or *changing the terms of such an order*[.]” (Emphasis added.)

We do agree with Father, however, that Mother failed to timely appeal both the July 16 Order and the August 20 Order. In pertinent part, Md. Rule 8-202 provides:

(a) **Generally.** — 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 from which the appeal is taken.

* * *

(c) **Civil action–Post-judgment motions.** — In a civil action, when *a timely* motion is filed pursuant to Rule 2-532, 2-533, 2-534, or 11-218, the notice of appeal shall be filed within 30 days after entry of (1) a notice withdrawing the motion or (2) an order denying a motion pursuant to Rule 2-533 or disposing of a motion pursuant to Rule 2-532, 2-534, or 11-218.

* * *

(f) **Date of entry.** — “Entry” as used in this Rule occurs on the day when the clerk of the lower court enters a record on the docket of the electronic case management system used by that court.

(Emphasis added.)

This Court has explained how the rule in subsection (b) operates when, as in this case, an appeal follows an order denying a civil post-judgment motion:

Rule 8-202(a) generally provides that an appeal must “be filed within 30 days of the entry of the judgment or order from which the appeal is taken.” Rule 8-202(c) provides for an exception that tolls the running of that appeal period while the court considers certain motions, including motions to alter or amend that are filed within ten days of entry of the judgment or order “under Rule 2-534 and/or 2-535.” *Ederly v. Ederly*, 213 Md. App. 369, 383 (2013). A motion for reconsideration filed more than ten days, but within 30 days, after entry of a judgment or order may still be considered by the trial court, pursuant to Rule 2-535, but it does not toll the running of the time to note an appeal. *Pickett v. Noba, Inc.*, 114 Md. App. 552, 557 (1997) (“If the motion [under Rule 2-535] is filed within ten days of judgment, it stays the time for filing the appeal; if it is filed more than ten days after judgment, it does not stay the time for filing the appeal.”). Moreover, once a court has denied one motion for reconsideration, the filing of additional such motions does not toll

the running of the time to note an appeal. *Leese v. Dep’t of Labor, Licensing & Regulation*, 115 Md. App. 442, 445 (1997).

Johnson v. Francis, 239 Md. App. 530, 541 (2018).

Here, Mother did not move to reconsider, vacate, or otherwise alter the July 16 Order. For that reason, she had thirty days after July 16 to file her notice of appeal. Because she did not do so, her appeal from that order is untimely.

Although Mother did move to vacate the August 20 Order, she did so more than ten days after its entry date. Mother filed her notice of appeal on January 5, 2026, over four months after the August 20 Order. As a result, filing that motion did not extend the thirty-day appeal period pending a ruling. *See id.* In turn, because Mother did not note her appeal of the August 20 Order before the thirty-day appeal period expired in September 2025, this Court will not entertain her appeal of that order either. *See generally Rosales v. State*, 463 Md. 552, 568 (2019) (recognizing that failing to comply with “binding” thirty-day window for noting an appeal under Md. Rule 8-202 warrants grant of an appellee’s motion to dismiss).

Mother misunderstands how the appeal period for the August 20 Order was affected by her ensuing motions to revise that order – the first a motion to vacate, the second a motion to reconsider the denial of her motion to vacate. The short answer is that they did not. Specifically, because neither motion was filed within ten days of the August 20 Order, neither extended the thirty-day appeal period.

Nor can Mother string together her two post-order motions to circumvent the thirty-day filing period for appeals. Regardless of title, both her motion to vacate the August 20

Order, and her motion to reconsider the denial of her motion to vacate, were motions to revise that order. *Cf. Pickett v. Noba, Inc.*, 122 Md. App. 566, 573 (1998) (“Although not titled as such, it effectively was a second motion to revise.”). Because Mother’s first motion to revise the August 20 Order did not extend the thirty-day appeal period, neither did her second. *See id.* (“A second motion to revise filed more than thirty days after the entry of judgment, even though within thirty days after denial of the first motion, cannot be granted.”).

To be sure, Mother’s notice of appeal was filed within thirty days after the order denying her motion to reconsider the court’s denial of her motion to vacate the August 20 Order. We are mindful that the scope of appellate review for such decisions is “‘limited to whether the trial judge abused his [or her] discretion in declining to reconsider the judgment.’” *Est. of Vess*, 234 Md. App. 173, 204-05 (2017) (quoting *Grimberg v. Marth*, 338 Md. 546, 553 (1995)). As Judge Arthur has observed for this Court, “[i]t is hard to imagine a more deferential standard than this one.” *Id.* at 205 (citing *Stuples v. Baltimore City Police Dep’t*, 119 Md. App. 221, 232 (1998) (explaining that denial of a motion to revise should be reversed only if the decision “was so far wrong—to wit, so egregiously wrong—as to constitute a clear abuse of discretion”)).

Although this appeal is a timely challenge to the ruling on Mother’s motion to reconsider, we do not discern any argument in her brief that is recognizably focused on why the circuit court abused its discretion in denying that motion. To the extent Mother relies on the procedural and substantive challenges that she asserts against the August 20 Order, we decline to address those contentions because that would undermine the important

finality function of Md. Rule 8-202(a). Allowing Mother, who may be representing herself but is now an experienced appellate litigant, to secure appellate review of such contentions through a series of two belated backdoors would circumvent the well-established time limits on appeals. *Cf. Vess*, 234 Md. App. at 207 (refusing to consider whether court abused discretion in denying motion to revise order where appellant failed to timely appeal underlying order); *Pickett*, 122 Md. App. at 573 (“A second motion to revise filed more than thirty days after the entry of judgment, even though within thirty days after denial of the first motion, cannot be granted.”).

Given that nothing in Mother’s briefing addresses why she should be exempt from the thirty-day appeal period applicable to interlocutory orders affecting child custody, we decline to consider her substantive challenges to the July 16 and August 20 Orders. Simply put, Mother waited too long – more than four months from the *later* of the two orders she challenges in this appeal. Such delay matters when, as in this case, the issues on appeal involve concerns about custody exchanges and other rights and responsibilities of the parents as they play out in the daily lives of their children.

CONCLUSION

Mother had thirty days after the July 16 and August 20 Orders to file her notice of appeal from those decisions. *See* Md. Rule 8-202(a). Because she did not do so, this appeal seeking to challenge both orders is not allowed by law.⁵ *See* Md. Rule 8-202(a); Md. Rule

⁵ Notably, the claims raised by Mother in her post-order motions are not the type of legal error, fraud, mistake or irregularity that would be correctable through Md. Rule 2-535(b). *See generally Facey v. Facey*, 249 Md. App. 584, 632-34, 638-40 (2021)
(continued)

8-602(b)(1). We therefore grant Father’s motion to dismiss it. *See* Md. Rule 8-602(a); *Rosales*, 463 Md. at 568.

**APPELLEE’S MOTION TO DISMISS
APPEAL GRANTED. APPEAL DISMISSED
PURSUANT TO MD. RULE 8-202. COSTS
TO BE PAID BY APPELLANT.**

(discussing fraud and mistake); *Davis v. Att’y Gen.*, 187 Md. App. 110, 125 (2009) (discussing irregularity).

Appendix: Issues Presented by Appellant M.J.-H.

As stated in her brief, Mother raises the following issues:

Issue 1. Erroneous Fact Finding: Based on Extra Record Evidence, Unsworn Attorney Representations, Hearsay, etc. Including Findings that Contradict Prior Orders & Best Interest Determinations; Improper Reliance on Speculative Future Events; Infringement of Due Process and Fundamental Rights, etc.

Issue 2. Improper Emergency Procedures and Systemic Procedural Irregularities, Suggesting a Lack of Neutrality; Including Bypass of Filing Requirements, Unequal Application of Maryland Rules, etc.

Issue 3. Denial of Meaningful Notice and Opportunity to Be Heard; and Denial of Due Process, Fundamental Liberty Interest and Resulting Prejudice to Appellant’s Ability to Participate and Litigate, etc.

[Issue] 4. Improper Ex Parte Communications and Off the Record Communications, Including Reliance on Unilateral Party Submissions and Lack of Adversarial Process, etc.

Issue 5. Denial of ADA Accommodations and Effective Communication; Denial of Ability to Meaningfully Participate, etc.

Issue 6. Failure to Record Substantive Proceedings and Preserve a Verbatim Record, etc.

Issue 7: Improper Modification of Custody and Parenting Time During a Pending Appeal; Jurisdictional implications; and Contradictory Findings and Rulings, etc

Issue 8: Modification of Custody & Reduction of Parenting Time Without the Required Analysis: Inconsistency with Prior Best Interest Findings and Failure to Ensure Prior Findings & Children’s Stability and Safety.