

Circuit Court for Baltimore County  
Case No. 03-C-17-2312

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 2615

September Term, 2017

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WILLIAM E. LOWRY

v.

MATTHEW M. BUERHAUS

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Friedman,  
Beachley,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: April 2, 2019

\*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.

In 2017, William E. Lowry, appellant, filed a complaint for defamation against Matthew M. Buerhaus, appellee, in the Circuit Court for Baltimore County. Following a hearing, the court granted Mr. Buerhaus’s motion for summary judgment and dismissed the complaint with prejudice, finding that any statements allegedly made by Mr. Buerhaus were absolutely privileged. Mr. Lowry now raises three issues on appeal: (1) whether the court erred in granting the motion for summary judgment; (2) whether the court failed to provide him with an opportunity to be heard before granting the motion for summary judgment; and (3) whether the court “violated his request for a jury trial.” Because the court provided Mr. Lowry with an opportunity to be heard and he has not demonstrated that the court erred in granting summary judgment, we affirm.

Mr. Lowry first claims that the court erred in granting the motion for summary judgment. However, outside of his conclusory statement that the court erred, he offers no legal support for this claim. In fact, at no point in his brief does he address the court’s finding that Mr. Buerhaus’s alleged statements were privileged. Therefore, because this claim is not presented with particularity, it is not properly before this Court. *See Diallo v. State*, 413 Md. 678, 692-93 (2010) (noting that arguments that are “not presented with particularity will not be considered on appeal” (citation omitted)). Moreover, we see no error in the circuit court’s determining that summary judgment was appropriate here.

Mr. Lowry also asserts that he was “refused the opportunity to be heard,” claiming, contradictorily, that the court violated Maryland Rule 2-311(f) by not holding a hearing on the motion for summary judgment, and that it erred by not giving him “an equal opportunity to respond” at the motion hearing. Both claims are belied by the record. The transcript

indicates that the court, in fact, held a hearing on the summary judgment motion. Moreover, at that hearing, the court provided Mr. Lowery with a full opportunity to argue that summary judgment should not be granted. Consequently, we reject Mr. Lowry's contention that the court denied him the opportunity to be heard before it granted summary judgment.

Mr. Lowery finally contends that his right to a jury trial was violated. However, because the court granted Mr. Buerhaus's motion for summary judgment as to all claims, Mr. Lowery was not entitled to a jury trial.

**JUDGMENT OF THE CIRCUIT  
COURT FOR BALTIMORE COUNTY  
AFFIRMED. COSTS TO BE PAID BY  
APPELLANT.**