

Circuit Court for Somerset County
Case No. 19-C-16-018285

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2015

September Term, 2016

MATTHEW JONES

v.

FAMILY COURT OF DELAWARE,
SUSSEX COUNTY

Woodward, C.J.,
Kehoe,
Moylan, Charles, E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 28, 2017

*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.

On November 16, 2016, Matthew Jones, appellant, filed a complaint, in the Circuit Court for Somerset County, listing the only defendant as “The Family Court of Delaware in and for Sussex County.” In the complaint, Jones essentially accused the Sussex County Family Court of conspiring against him, based on it having ruled against him in several cases in which he was a party. Along with his complaint, Jones filed a “Request for Waiver of Prepaid Costs.” The circuit court denied Jones’s request, finding that it did not have jurisdiction over his complaint. On appeal, Jones raises several issues which reduce to one: whether the court abused its discretion in denying his request to waive prepaid costs.

When a civil litigant files a petition requesting that fees be waived, the circuit court must make a “determination of whether or not the case is frivolous,” and, if the petition is denied, state the reasons for doing so. *Davis v. Mills*, 129 Md. App. 675, 680-81 (2000). “The grant or denial of the waiver application is vested within the sound discretion of the trial court and will not be disturbed absent a clear abuse of discretion.” *Id.* at 679. Here, the Circuit Court for Somerset County lacked jurisdiction to enter an award of monetary damages against a Delaware Court based on actions that the court took in unrelated cases involving Jones. Consequently, the circuit court did not abuse its discretion in finding that Jones’s complaint was frivolous and, therefore, in denying his request to waive prepaid costs.

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