

IN THE SUPREME COURT

OF MARYLAND

Petition No. 263

September Term, 2024

SHAOSHAN FENG

v.

SHAOMIN CHEN

Fader, C.J.,
Watts,
Booth,
Biran,
Gould,
Eaves,
Killough,

JJ.

PER CURIAM ORDER

Filed: November 26, 2024

SHAOSHAN FENG

v.

SHAOMIN CHEN

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IN THE

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SUPREME COURT

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OF MARYLAND

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Petition No. 263

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September Term, 2024

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(No. 1586, Sept. Term, 2023

Appellate Court of Maryland)

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(Cir. Ct. No. C-15-FM-22-002132)

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ORDER

In the Circuit Court for Montgomery County, the petitioner, Shaoshan Feng, filed a notice of appeal of the judgment of absolute divorce entered on September 15, 2023. On February 6, 2024, the Appellate Court issued an order commencing the 10-day period in which Ms. Feng must order any necessary transcripts. After the 10-day period expired and the transcripts had not been ordered, the Appellate Court ordered Ms. Feng to show cause why the appeal should not be dismissed for failure to order the transcripts.

On May 13, 2024, Ms. Feng filed an answer to the show cause order stating that she included the September 8, 2023 transcript to her brief and that she “believes it to be the only transcript necessary for the appeal.” On May 20, 2024, the Appellate Court ordered Ms. Feng to submit proof in writing that she ordered and submitted payment for the transcripts of the July 10, 11, and 12, 2023 proceedings in the circuit court or the appeal may be dismissed.

On June 3, 2024, Ms. Feng filed a response to the Court’s May 20, 2024 order asking that the Court excuse the requirement that she provide the relevant transcripts. On June 14,

2024, the Appellate Court again ordered Ms. Feng to submit proof in writing that she ordered and submitted payment for the transcripts of the July 10, 11, and 12 proceedings for the appeal may be dismissed.

On July 17, 2024, the Appellate Court dismissed the appeal pursuant to Maryland Rule 8-802(c)(4) because Ms. Feng failed to provide the necessary transcripts. Ms. Feng sought review in this Court by petition for writ of certiorari.

Subsequent to the Appellate Court's dismissal order, the Administrative Office of the Courts has initiated a program pursuant to which funds may be available for preparation of transcripts in certain appeals. It is not clear whether the program would apply in this case.

Upon consideration of the petition, it is this 26th day of November 2024, by the Supreme Court of Maryland,

ORDERED that the petition is granted; and it is further

ORDERED that the order of the Appellate Court of Maryland dismissing the appeal is vacated; and it is further

ORDERED that this case is remanded to the Appellate Court for a determination of whether the newly created program established to provide payment for transcripts for qualifying self-represented litigants is able to cover the cost of the petitioner's transcripts.

Pursuant to the Maryland Uniform Electronic Legal Materials Act (§§ 10-1601 et seq. of the State Government Article) this document is authentic.



Gregory Hilton, Clerk



/s/ Matthew J. Fader
Chief Justice