

Circuit Court for Howard County  
Case No.: C-13-CV-22-000859

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 319

September Term, 2024

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JAQCC, LLC, ET AL.

v.

APPLE FORD, INC.

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Wells, C.J.,  
Graeff,  
Kehoe, Christopher B.  
(Senior Judge, Specially Assigned)  
JJ.

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PER CURIAM

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Filed: December 27, 2024

\* This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Appellant, Peta Leiba (“Ms. Leiba”), is the owner of appellant, JAQCC, LLC, an entity through which Ms. Leiba provided childcare or childcare transportation services. After a shuttle bus titled to Ms. Leiba was repaired by appellee, Apple Ford, Inc. (“Apple Ford”), and efforts to collect on the outstanding bill proved unsuccessful, Apple Ford filed a five-count complaint in the Circuit Court for Howard County against appellants. After neither appellant filed an answer, the court entered judgments of default. Several months later, appellants filed a motion to revise the default judgments, citing reasons of “fraud, mistake, or irregularity[.]” The motion was neither verified nor supported by affidavit. The circuit court denied the motion, and appellants noted the instant appeal.

On appeal, appellants maintain that the court erred in denying their motion to revise the default judgments, contending that the proceedings “were marred by failures in service and clerical mistakes” and that “procedural irregularities and substantive errors [] warrant reversal of the default judgments[.]” They challenge addresses used by the clerk’s office, “[f]raudulent claims” made by Apple Ford, and a Sheriff’s return of service indicating “no confirmation of the timeframe for the posting” of alternative service upon Ms. Leiba. Finally, they assert that “[t]he business entity involved in the transaction was actually JAQCC Group, LLC, not JAQCC, LLC.”<sup>1</sup> In response, Apple Ford asserts that appellants failed to submit “any evidence” to support their allegations, and accordingly, that the judgment should be affirmed. We agree.

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<sup>1</sup> JAQCC Group, LLC is a related entity formed by Ms. Leiba’s husband.

“Judgments, by and large, are meant to be final.” *LVNV Funding LLC v. Finch*, 463 Md. 586, 607 (2019). Indeed, “[a] court that renders a judgment ‘has discretionary revisory power over it for only 30 days,’ after which the judgment becomes enrolled and may be revised only ‘upon a finding of fraud, jurisdictional mistake or irregularity, which are narrowly construed.’” *Facey v. Facey*, 249 Md. App. 584, 606 (2021) (quoting *Finch*, 463 Md. at 607-08); *see also* Md. Rule 2-535(b). Critically, this Court has made clear that, “[t]o prevail on a motion to set aside an enrolled judgment, the moving party must show fraud, mistake, or irregularity by clear and convincing evidence.” *Das v. Das*, 133 Md. App. 1, 18 (2000); *see also Thacker v. Hale*, 146 Md. App. 203, 217 (2002) (“The evidence necessary to establish fraud, mistake, or irregularity must be clear and convincing.”).

Here, although appellants filed the motion to revise the default judgments several months after either default judgment was entered, appellants failed to offer any evidence – let alone clear and convincing evidence – of fraud, mistake or irregularity in support of their claim. *Das*, 133 Md. App. at 18. Instead, their motion attached only two exhibits, articles of organization for JAQCC, LLC and articles of organization for JAQCC Group, LLC, and it remains unclear how either document, without more, demonstrates fraud, mistake, or irregularity by clear and convincing evidence.<sup>2</sup> Finally, appellants’ contentions regarding addresses used by the clerk’s office, allegedly fraudulent statements made by Apple Ford, and the Sheriff’s return of service were not raised before the circuit court and

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<sup>2</sup> Appellants do not dispute that they own the bank account of a check provided to Apple Ford for the repairs.

thus, are not properly preserved for our review. *See* Md. Rule 8-131(a). Accordingly, the judgment shall be affirmed.

**JUDGMENT OF THE CIRCUIT  
COURT FOR HOWARD COUNTY  
AFFIRMED. COSTS TO BE PAID  
BY APPELLANTS.**