

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 925

September Term, 2024

RICHARD JOHNSON

v.

D N F ASSOCIATES, LLC

Beachley,
Albright,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 4, 2025

*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.

In February 2023, D N F Associates, LLC, appellee, filed a complaint for breach of contract against Richard Johnson, appellant, in the Circuit Court for Prince George’s County. Although the court initially entered an order of default against appellant, it subsequently granted his motion to vacate the order of default in November 2023. Thereafter, appellant filed a motion to dismiss the complaint and to compel arbitration, claiming that the contract at issue contained an Arbitration Notice and Clause that required claims or disputes to be arbitrated. Appellee filed an opposition, asking the court to stay the case pending arbitration in the event that it determined appellant had effectively elected arbitration. On June 6, 2024, the court entered an order denying the motion to dismiss. This appeal followed.

Section 12-301 of the Courts & Judicial Proceedings Article provides that “a party may appeal from a final judgment entered in a civil or criminal case by a circuit court.” To constitute a final judgment, a ruling of the circuit court must be an “unqualified, final disposition of the matter in controversy[.]” *Gruber v. Gruber*, 369 Md. 540, 546 (2002) (quotation marks and citation omitted), which decides and concludes the rights of the parties involved or denies a party the means of further prosecuting or defending rights and interests in the subject matter of the proceeding. *Nnoli v. Nnoli*, 389 Md. 315, 324 (2005). An order denying a motion to compel arbitration, however, is not a final judgment. *Am. Bank Holdings, Inc. v. Kavanagh*, 436 Md. 457, 478-79 (2013). Nor is it an appealable interlocutory order under Section 12-303 of the Court and Judicial Proceedings Article or

the collateral order doctrine. *Addison v. Lochearn Nursing Home, LLC*, 411 Md. 251, 284 (2009). Consequently, we must dismiss the appeal as not allowed by law.¹

APPEAL DISMISSED. COSTS TO BE PAID BY APPELLANT.

¹ Nothing in this opinion is meant to comment on the merits of appellant’s complaint or whether that complaint is subject to arbitration.