

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1572

September Term, 2022

TCHIKENS L. GILBERT

v.

GERMAINE M. KAPANGALA

Reed,
Ripken,
Kenny, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 30, 2023

*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.

*At the November 8, 2022, general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

Tchikens Gilbert, appellant, filed a complaint for absolute divorce in the Circuit Court for Montgomery County. Germaine Kapangala, appellee, filed a counter-complaint for absolute divorce shortly thereafter. Following a hearing, the circuit court entered an order: (1) awarding appellee an absolute divorce from appellant; (2) finding that there were no marital property issues to be resolved; (3) awarding appellee primary physical custody of the parties minor children;¹ (4) awarding the parties joint legal custody of the minor children, with appellee having tie-breaking authority in the event that parties cannot reach a decision on legal custody matters; (5) ordering appellant to pay appellee \$275.00 per month in child support; and (6) ordering appellant to pay appellee an additional \$25.00 per month towards child support arrears until the arrears were paid in full. This appeal followed.

On appeal, appellant, states that he has “no more to complain about” the court’s divorce and child support determinations because “everything is done in my favor.” In fact, appellant indicates that only “point where [he has] to complain a lot” is the court’s decision to award tie-breaking authority to appellee. He does not, however, raise any specific claim of error with respect to that issue or make any arguments as to why the circuit court erred. Rather, he simply states that he will leave it to this Court to “reconsider” and “decide whether it is possible to prosecute.” Consequently, we will not consider that issue on appeal. *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” (quotation marks and

¹ The court physical custody award was based on an agreement by the parties that was placed on the record.

citation omitted)).² Ultimately, it is not up to this Court to fashion legal theories to support appellant’s claims of error. *See Konover Prop. Tr., Inc. v. WHE Assocs., Inc.*, 142 Md. App. 476, 494 (2002). Rather, the burden of demonstrating error in the circuit court’s judgment lies solely with appellant. Because he has not met that burden, we shall affirm.

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

² Even if appellant had made a more specific argument with respect to this issue, we would be required to reject it as he has not provided a transcript of the hearing in the circuit court. *See Kovacs v. Kovacs*, 98 Md. App. 289, 303 (1993) (“The failure to provide the court with a transcript warrants summary rejection of the claim of error.”).