

Circuit Court for Carroll County
Case No.: C-06-FM-21-828956

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1610

September Term, 2023

CHARLES WILLIAM FREDERICK CRUMP

v.

TIFFANY OLIVIA CRUMP

Beachley,
Albright,
Woodward, Patrick L.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: October 10, 2024

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

In December 2021, Tiffany Olivia Crump, appellee, obtained a temporary protective order from the Circuit Court for Carroll County against her ex-husband, Charles William Frederick Crump, appellant. Ms. Crump voluntarily dismissed her petition before a final protective order was entered. On February 14, 2023, Mr. Crump filed a request to shield under Md. Code Ann., Family Law § 4-512. After a hearing, the court denied the request on March 3. Mr. Crump did not appeal. Instead, on March 17, he filed another request to shield. The court denied this second request, without a hearing, on March 20. Again, Mr. Crump did not appeal. Instead, five months later, on August 22, he filed a third request to shield. After a hearing, the court denied this third request on September 15. This time, Mr. Crump timely appealed.

On appeal, Mr. Crump focuses his argument on the merits of the circuit court’s March 3 denial of his request to shield.¹ Maryland Rule 8-202 requires that a notice of appeal be filed “within 30 days after entry of the judgment or order from which the appeal is taken.” A timely post-judgment motion to alter or amend filed within 10 days under Rule 2-534 will toll this deadline; one filed after 10 but within 30 days under Rule 2-535(a) will not. *See Leese v. Dep’t of Lab., Licensing and Regul.*, 115 Md. App. 442, 445 (1997); Md. Rule 8-202(c).

As mentioned, Mr. Crump did not file a motion to alter or amend within 10 days of the March 3 Order. Thus, the deadline for him to note an appeal from that order was

¹ Mr. Crump’s brief in this appeal is identical to the one he filed an earlier appeal: *Crump v. Crump*, Case No. 1609, Sept. Term, 2023 (filed May 15, 2024). Although that appeal stemmed from a case that was not consolidated with the one that spawned this appeal, the relevant procedural history is the same.

April 3.² He did not do so, and his appeal is therefore untimely with respect to the merits of that order.

As for Mr. Crump’s follow-up requests to shield: They were, substantively, motions asking the court to exercise its revisory power over the March 3 Order. Mr. Crump did not note an appeal from the denial of his first *de facto* revisory motion, however. And although his notice was timely as to the denial of the second *de facto* revisory motion, “[t]he denial of [a] second motion to revise is not appealable because it is not a final judgment.” *Pickett v. Noba, Inc.*, 114 Md. App. 552, 560 (1997) (noting that a “second motion to revise filed more than [30] days after the entry of judgment, even though within [30] days after denial of the first motion, cannot be granted”). Consequently, we shall dismiss the appeal.

APPEAL DISMISSED. COSTS TO BE PAID BY APPELLANT.

² Thirty days from March 3, 2023, was April 2—a Sunday. The deadline would therefore have moved to the following Monday: April 3. Md. Rule 1-203(a)(1).