

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1649

September Term, 2023

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IN THE MATTER OF JULIUS JOHNSON

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Zic,  
Tang,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: June 3, 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.

Doretha Johnson, appellant, appeals from an order issued by the Circuit Court for Prince George’s County denying her motion to revise a judgment entered against her and in favor of Julius Johnson in the amount of \$25,919.71. For the reasons that follow, we shall affirm.

In 2017, appellant was appointed to be the guardian of the person and property for her father, Julius Johnson. She was removed as the guardian of the property in April 2021, and Bryan A. Bishop, Esquire, appellee, was appointed as the substitute guardian. Based on the fact that appellant had not filed a corrected fiduciary report for the fiscal year ending May 31, 2020, and his concerns about certain expenditures from the guardianship estate, appellee filed a petition to direct appellant to account for her activity as guardian of the property. The court granted the petition with respect to the time period from June 1, 2019, to April 15, 2021.

Appellant submitted a final fiduciary report, and the court scheduled a hearing on appellee’s petition for accounting on January 10, 2023. The court ultimately continued that hearing, on appellant’s request, after determining that she was not sufficiently prepared to move forward. A new hearing was then held on August 10, 2023, at which appellant represented herself. Following that hearing, the court determined that there had been \$83,054.41 in expenditures over the relevant time period that needed to be accounted for. However, it found that appellant had only proven that \$57,134.70 of those expenditures were justified, specifically \$12,800 for a bathroom remodel to accommodate Mr. Johnson’s disabilities; \$2,000 for travel to Florida; \$953 for a bed purchase; \$16,081.70 in funds that had previously been turned over to appellee; and \$1,100 per month for monthly care and

expenses for Mr. Johnson, totaling \$25,300. Therefore, on August 11, 2023, the court entered a judgment in favor of Julius Johnson against appellant in the amount of \$25,919.71.

On September 8, 2023, appellant, now represented by counsel, filed a motion to revise the judgment, which included an amended fiduciary report for the period in question. In the motion, appellant claimed that because she did not have counsel at the August 10, 2023, hearing, she was “unable to present evidence to challenge the allegations of [appellee] based on her *Pro Se* status, and on the fact that certain evidentiary documentation was in the possession of third parties that she was unable to obtain without a subpoena.” Although she indicated that “[a]dditional documentation and information exist [that] will be able to be presented at a new hearing” she did not attach that documentation. Moreover, she did not specifically identify the new documents or indicate why she was unable to obtain them previously without counsel. In arguing that the judgment should be revised, appellant further indicated that during the time in question she “used an average of \$800.00-1200 monthly from the assets of Julius . . . to help pay for the necessary household expenses[.]” She also asserted that the amended fiduciary report included additional expenses incurred in the “handicap renovations to the bathroom[.]” Again, however, she did not attach or specifically identify any documentation to support this revised amount. The court denied the motion to revise on September 29, 2023. This appeal followed.

On appeal, appellant raises several claims relating to the underlying judgment. However, the validity of that judgment is not properly before us. Following entry of judgment in a trial court, a litigant seeking to revise or modify the order may file one of

two post-trial motions: (1) a motion to alter or amend the judgment pursuant to Maryland Rule 2-534; or (2) a motion for the court to exercise its revisory power pursuant to Maryland Rule 2-535(a). If a motion, however labeled, is filed more than ten days but less than thirty days after the entry of judgment, it will be treated as a motion under Maryland Rule 2-535(a). *Pickett v. Noba, Inc.*, 114 Md. App. 552, 557 (1997).

Where the circuit court denies a motion to revise under Rule 2-535(a), and the party appeals that denial more than thirty days after the entry of the underlying judgment, as occurred here, the propriety of the underlying judgment is not before this Court. *Id.* at 558-59. Rather, the scope of appellate review is limited to the issue of “whether the trial court abused its discretion in declining to revise the judgment.” *Bennett v. State Dep’t of Assessments & Tax’n*, 171 Md. App. 197, 203 (2006) (quotation marks and citation omitted). This Court will not reverse a trial court’s decision to decline to exercise its revisory power “unless there is grave reason for doing so.” *Hossainkhail v. Gebrehiwot*, 143 Md. App. 716, 724 (2002). In this context, the issue before the appellate court is not whether the trial court “was right or wrong” in denying the motion to revise, but whether the decision to deny the motion to revise “was *so far wrong* . . . as to constitute a clear abuse of discretion.” *Stuples v. Baltimore City Police Dep’t*, 119 Md. App. 221, 232 (1998) (citation omitted) (emphasis in original). “It is hard to imagine a more deferential standard than this one.” *Estate of Vess*, 234 Md. App. 173, 205 (2017).

With respect to the denial of her motion to revise, appellant only generally asserts that she “provided bank statements, receipts, and other financial documents” to her attorney after the judgment was entered, and that the “court did not consider all of the evidence that

was submitted” when it denied the motion. As an initial matter, we need not consider these claims as they are not raised with sufficient particularity. *See Diallo v. State*, 413 Md. 678, 692 (2010) (noting that arguments that are “not presented with particularity will not be considered on appeal” (quotation marks and citation omitted)).

Nevertheless, we note that in her motion to revise, appellant did not indicate why she waited to obtain counsel until after a final judgment was entered, despite the court ordering the accounting in February 2022, and then continuing the January 2023 hearing for 8 months to give her more time to prepare. Moreover, the motion did not specifically identify what documents she was unable to present at the hearing, or what steps she had taken prior to trial to obtain them. Finally, the amount of money that she claimed to have spent per month to pay for her father’s necessary household expenses was consistent with the amount that the circuit court had given her credit for in the final judgment. And appellant did not provide any new documentation to support her claim that the court’s calculation of the bathroom renovation expenses had been incorrect. For these reasons, we cannot say that the court’s decision to deny her motion to revise the judgment was so far wrong as to constitute an abuse of discretion. Consequently, we shall affirm the judgment.

**JUDGMENT OF THE CIRCUIT  
COURT FOR PRINCE GEORGE’S  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**