

Circuit Court for Anne Arundel County
Case No.: C-02-CR-22-001623

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1777

September Term, 2024

SHAUNESI Y. DEBERRY

v.

STATE OF MARYLAND

Wells, C.J.,
Berger,
Beachley,

JJ.

PER CURIAM

Filed: March 20, 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.

Appellant Shaunesi Y. DeBerry noted this appeal from the Circuit Court for Anne Arundel County’s denial of her Motion to Recall a Bench Warrant. An order denying a motion to quash an arrest warrant is not appealable. *Nnoli v. Nnoli*, 389 Md. 315, 324 (2005). Indeed, most orders from which DeBerry has appealed over the past two years have not been final orders of a circuit court and did not invoke this Court’s appellate jurisdiction.

Within her frivolous appeals, DeBerry has filed numerous motions, letters, and other papers that lack substantial justification and often contain accusations and characterizations of government officials and judicial officers that are irrelevant to any issues in her cases, highly offensive, and inappropriate. As a result, on February 6, 2025,¹ this Court issued an Order directing DeBerry to show cause, within 30 days of that Order, why she should not be declared a frivolous and vexatious litigant and why she should not be enjoined from filing any paper in this Court without first seeking leave to file each paper.

Three days later, DeBerry filed a document entitled “Appellant Brief.” In this filing, DeBerry acknowledges the February 6 Order to Show Cause but presents no argument as to why the injunction should not be issued. Then, on March 6, 2025, DeBerry filed a “Response to February 6, 2025 Show Cause (Frivolous and Vexatious Litigant

¹ The Court issued this Order to Show Cause previously on December 10, 2024, in Case No. 1544, Sept. Term, 2024. At that time, however, DeBerry had not yet added herself as an electronic-service contact to that appeal, and the Court is unable to do so on a party’s behalf. Accordingly, the Court sent, by First-Class Mail, a copy of the Order to DeBerry’s last known mailing address. On February 5, 2025, DeBerry filed, in that appeal, a letter suggesting that she had not received the previously mailed Order. The same day, she voluntarily dismissed that appeal.

DeBerry had previously added herself as an electronic-service contact to this appeal. So, to ensure she had sufficient notice and opportunity to be heard, the Court reissued the Order to Show Cause in this appeal, and DeBerry’s response deadline was reset.

Insinuation)-Oral Argument Requested.”² In her response, DeBerry does not attempt to defend the merits of her filings in this Court, the Supreme Court of Maryland, or the circuit courts, nor has she stated an intent to alter her practices. Instead, she repeats her baseless accusations about government officials and judicial officers that are irrelevant to any issues in her cases.

For the reasons below, Shaunesi Y. DeBerry is declared to be a frivolous and vexatious litigant. With limited exceptions, she is enjoined from filing any paper in this Court without first seeking leave to file each paper. Further, upon receipt of any future notice of appeal filed by DeBerry, the Court will immediately issue an Order to Show Cause why the appeal should not be dismissed. Within 15 days of that Order, DeBerry must respond, in writing and not exceeding 5 pages in length: (1) identifying the specific order(s) from which she is appealing; and (2) citing the precise statute, Maryland Rule, or case that authorizes her appeal. DeBerry must also attach, as an exhibit to her response, a copy of the relevant order(s) and, if applicable, a copy of all relevant motions and responses that generated the order(s). Failure to comply strictly with this provision will result in immediate dismissal. A separate Order outlining the specifics of this injunction shall be issued contemporaneously with this Opinion.

² Earlier, on February 20, 2025, DeBerry also filed a “Demand for Transmittal of Record by Clerk of Lower Court,” but that filing neither responded to, nor mentioned the February 6 Order to Show Cause.

LEGAL FRAMEWORK

We begin by summarizing our authority to issue a pre-filing order and what we consider before doing so.

We have recognized that Maryland courts have certain inherent powers to deal with vexatious litigants. *See Needle v. White, Mindel, Clarke and Hill*, 81 Md. App. 463, 474 (1990) (“conced[ing] that a trial court has inherent power to impose sanctions for continuing an action vexatiously, wantonly, or for oppressive reasons”). Among these is “the express power to issue an injunction *sua sponte*.” *Riffin v. Circuit Court for Balt. Cnty.*, 190 Md. App. 11, 26 (2010).

Under Maryland Rule 15-502(b), a “court, at any stage of an action and at the instance of any party or on its own initiative, may grant an injunction upon the terms and conditions justice may require.” When this authority is exercised properly against a vexatious litigant, it is not defeated by Article 19 of the Maryland Declaration of Rights, which provides “[t]hat every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the Law of the land.” Although “free access to the courts is an important and valuable aspect of an effective system of jurisprudence, [only] a party possessing a *colorable* claim must be allowed to assert it without fear of suffering a penalty more severe than that typically imposed on defeated parties.” *Dent v. Simmons*, 61 Md. App. 122, 124 (1985) (cleaned up) (emphasis in original). Put simply, “a litigant’s interest in accessing the courts is neither supreme nor absolute.” *Riffin*, 190 Md. App. at 28 n.14.

Even so, there are still constitutional guidelines to which we must adhere. Due process dictates that an alleged vexatious litigant must be “afforded notice and an opportunity to be heard before issuance of [a] pre-filing order.” *Id.* at 32. In this Court, however, they are not entitled to a hearing. Instead, we may “issue a pre-filing order with an opportunity to be heard only ‘on the papers.’” *Id.* at 33 n.22 (citing *Green v. Warden, U.S. Penitentiary*, 699 F.2d 364, 367–70 (7th Cir. 1983)).

After affording an alleged vexatious litigant notice and an opportunity to be heard, there are three steps we must follow before issuing a pre-filing order. *First*, we “must document a record that justifies a pre-filing order.” *Id.* at 33. This requires that we create “a list of all the cases and documents, or an explanation of the reasons, that lead [us] to conclude that a restrictive order [is] needed to curb repetitive or abusive activities.” *Id.* at 33–34 (cleaned up).

Second, after composing this record, we must “make substantive findings as to the frivolous or harassing nature of the litigant’s actions.” *Id.* at 34. In conducting our review, we “examine both the number and content of the filings.” *Id.* (cleaned up). To justify a pre-filing order, the litigant’s “claims must not only be numerous, but also be patently without merit.” *Id.* (cleaned up). To be sure, appellate courts ordinarily have no fact-finding authority. *See Haley v. State*, 398 Md. 106, 131 (2007). We may, however, take judicial notice of matters that are capable of certain verification through recourse to reliable authority. *See Hanover Invs., Inc. Volkman*, 455 Md. 1, 9 n.5 (2017). Examples of such matters include this Court’s records, as well as proceedings in other courts. *See id.* We may therefore take judicial notice of an alleged vexatious litigant’s record of litigation and the

content of their filings outside the case before us. *See Green*, 699 F.2d at 369. We must exercise caution, however, to avoid interfering with other judges’ assignments or circumventing the appellate process. *Riffin*, 190 Md. App. at 34. To that end, our substantive analysis will generally be limited to filings and cases on which there have already been rulings.

Third, we must narrowly tailor the pre-filing order. No matter how vexatious they may be, “constitutional considerations prohibit a complete ban on filings by indigent proper person litigants if the ban prevents the litigant from proceeding in criminal cases and in original civil actions that sufficiently implicate a fundamental right[.]” *Id.* at 35 (cleaned up). Further, “even broad restrictive orders should set an appropriate standard against which any future filings will be measured.” *Id.* (cleaned up).

In this regard, we also examine the following five factors listed by the Second Circuit in *Safir v. U.S. Lines, Inc.*, 792 F.2d 19, 24 (2d Cir. 1986):

(1) the litigant’s history of litigation and in particular whether it entailed vexatious, harassing or duplicative lawsuits; (2) the litigant’s motive in pursuing the litigation, *e.g.*, does the litigant have an objective good faith expectation of prevailing?; (3) whether the litigant is represented by counsel; (4) whether the litigant has caused needless expense to other parties or has posed an unnecessary burden on the courts and their personnel; and (5) whether other sanctions would be adequate to protect the courts and other parties.

With this framework in mind, we begin our review.

LITIGATION RECORD

DeBerry’s numerous appeals flow from eight cases in four different circuit courts.³ She has appealed from at least 76 orders in those cases, which have been docketed in at least 27 appeals in this Court. She has also petitioned the Supreme Court of Maryland for a writ of *certiorari* at least 30 times and for a writ of *mandamus* twice. All told, DeBerry has sought review from Maryland’s appellate courts more than 100 times in just over 2 years.

We summarize the substance of DeBerry’s cases here, grouped by underlying circuit court case and listed chronologically. Within our review, we add a breakdown of the appeals and petitions spawned by each case, including the order(s) from which DeBerry appealed.

State of Maryland v. Shaunesi Y. DeBerry,
Cir. Ct. No. C-02-CR-22-001623

On January 12, 2023, a jury in the Circuit Court for Anne Arundel County convicted DeBerry of second-degree assault. The court later sentenced her to three years’ incarceration, all but time served suspended, followed by three years’ probation. Post-conviction proceedings in this case are ongoing.

³ DeBerry’s name varies slightly across some case captions, but they all involve the same individual.

The overwhelming majority of DeBerry’s appeals and petitions stem from this criminal case. We start with her cases in this Court.⁴

Case No. 1894, Sept. Term, 2022, was dismissed, by order, on April 6, 2023, as premature.⁵ It covered 2 notices of appeal, filed on December 29, 2022, and February 13, 2023, from the following orders:

- The denial of DeBerry’s request for removal from pretrial supervision; and
- DeBerry’s assault conviction.

Case Nos. 114, 774, & 1526, Sept. Term, 2023, were consolidated and addressed in a *per curiam* opinion, filed April 4, 2024, affirming the judgments. Together, they covered 17 notices of appeal, filed between March 21 and November 6, 2023, from the following orders:

⁴ We exclude from our review, an application for leave to appeal that was purportedly filed by the victim of DeBerry’s assault—her daughter, a minor. Although DeBerry also filed frivolous and inappropriate papers in that case, we limit our catalogue to only cases that were unquestionably initiated personally by DeBerry. For that reason, however, we include DeBerry’s petitions for a writ of *certiorari* stemming from the dismissal her daughter’s ALA.

⁵ We offer to DeBerry some clarity about this premature appeal because the record shows that she continues to misunderstand its significance—or, rather, its insignificance. DeBerry was sentenced on March 16, 2023, after the notices of appeal in *Case No. 1894* were filed but before the dismissal order was entered. Since April 6, 2023—and as recently as March 13, 2025—DeBerry has repeatedly insisted that the dismissal order shows that she was never sentenced and that the circuit court is attempting to enforce a “sentence that does not exist.” DeBerry is wrong. The dismissal order has no bearing on the validity or existence of her sentence. What’s more, DeBerry had the chance to challenge her conviction and sentence through her timely direct appeal in *Case Nos. 114, 774, & 1526, Sept. Term, 2023*. Both were affirmed. So, to be clear, despite her misinterpretation, DeBerry’s sentence exists and has been found lawful.

- DeBerry’s assault conviction;
- DeBerry’s sentence;
- The denial of a Motion to Recuse the trial judge;⁶
- The granting of DeBerry’s Motion to Withdraw her Motion for New Trial; †
- The denial of a Motion to Recuse the prosecutor;
- The denial of a “Motion for Clarity on Probation Order;” †
- The denial of a “Motion and Reconsideration of the Oath of [the Trial Judge] and All Surety Bonds Related to [DeBerry’s Assault Case];” †
- The denial of a “Motion for Proof of Ruling on All Outstanding Motions;” †
- A Violation of Probation Order;
- The denial of a “Motion on [sic] Clarity on Multiple Conflicting Sentencing Order;” †
- The denial of a “Motion on [sic] Clarity on All Outstanding Motions;” †
- The denial of a “Motion for Order Clarity on VOP Order;” †
- The denial of a second Motion to Recuse the trial judge;
- The denial of a “Motion to Strike Frivolous VOP Orders;” †
- The denial of a “Motion to Strike Probation Report;” †
- The denial of a “Motion for Sanctions Against the State;” †
- The denial of a Motion to Correct Illegal Sentence; and

⁶ The record reflects that DeBerry first moved for recusal of the trial judge on February 23, 2023, which was after trial but before sentencing.

† Indicates a non-appealable order that, although disposed of in a *per curiam* opinion alongside at least one appealable order, the Court declined to consider.

- An order directing that the names of the trial judge’s family be redacted from DeBerry’s past filings and ordering her to cease referencing or naming members of the trial judge’s family in any pleadings or other documents filed in the proceeding.

Case No. 1782, Sept. Term, 2023, was dismissed, by *per curiam* opinion, filed April 5, 2024, as not allowed by law. It covered five notices of appeal, filed between November 8 and December 5, 2023, from the following orders:

- The denial of a “Motion for Access to Letter of Unaccompanied Minor from State of Maryland and Anne Arundel County Department of Social Service;”
- The denial of a “Motion for Clarity on Removal and Appearance of State’s Attorney;”
- The denial of a “Motion for [the] State’s Attorney’s Office to Only Use Address on Record for Any and All Correspondence;”
- The denial of a “Motion for Clarity on November 3, 2023, Order;” and
- The denial of a “Motion to Retrieve All Written District Court Transcripts[.]”

Case No. 2201, Sept. Term, 2023, was dismissed, by *per curiam* opinion, filed November 1, 2024, as not allowed by law. It covered 11 notices of appeal, filed between January 16 and March 7, 2024, from the following orders:

- The denial of a “Motion for Guidance;”
- The denial of a Motion to Stay;
- The denial of a “Motion to Stop Harassment;”
- Withholding ruling on an “Emergency Motion to Waive Fees” until a later-scheduled VOP hearing;
- The denial of a third Motion to Recuse the trial judge, “or in the Alternative Demand a Mental Evaluation for Her Mental Fitness and Competency to Service [sic] Anne Arundel County;”

- The denial of a “Motion for Handwriting Samples of [Two Probation Officers];”
- The denial of a fourth Motion to Recuse the trial judge;
- The denial of a “Motion for Clarity on Malfeasance Discrimination by [the Administrative Judge];”
- The denial of a Motion to Recuse a second circuit court judge;
- The denial of a “Motion for Reconsideration of Denial for Clarity;” and
- The denial of a Motion to Recuse a third circuit court judge.

Case No. 310, Sept. Term, 2024, was dismissed, by *per curiam* opinion, filed November 8, 2024, as not allowed by law. It covered five notices of appeal, filed between April 10 and June 4, 2024, from the following orders:

- The denial of a motion to direct the Division of Parole and Probation to accommodate DeBerry under the Americans with Disabilities Act;
- The denial of a motion to serve DeBerry’s Probation Agent with a summons issued by the Circuit Court for Baltimore County in DeBerry’s civil case against the Department of Public Safety and Corrections;
- The granting of a Motion to Strike the Appearance of DeBerry’s Attorney;⁷
- The denial of a Motion to Set Aside a Bench Warrant; and
- The denial of a Motion to Dismiss VOP.

⁷ Counsel entered his appearance on DeBerry’s behalf on February 4, 2024. He moved to withdraw—with DeBerry’s written consent—on April 18, 2024. Outside this brief window, DeBerry proceeded *pro se*—as she has in every other case. Even while represented, though, DeBerry filed dozens of *pro se* motions and noted several *pro se* appeals. Her attorney filed only a Motion to Postpone DeBerry’s VOP hearing, which was granted, before moving to withdraw.

Case No. 751, Sept. Term, 2024, was addressed in a *per curiam* opinion, filed November 4, 2024, affirming the circuit court’s judgment. It covered four notices of appeal, filed between June 13 and July 27, 2024, from the following orders:

- The denial of a “Motion to Access Directive;” †
- The denial of a Motion for Reconsideration of the denial of DeBerry’s Motion to Dismiss VOP; †
- The denial of a Motion for Reconsideration of DeBerry’s Application for Panel Review of Sentencing; and
- The denial of the victim’s request to be removed from the no-contact order imposed as part of DeBerry’s probation. †

Case No. 1121, Sept. Term, 2024, was dismissed, by *per curiam* opinion, filed November 4, 2024, as not allowed by law. It covered one notice of appeal, filed on August 5, 2024, from the following order:

- The denial of a “Motion for Ruling on Writ of Actual Innocence.”

Case No. 1144, Sept. Term, 2024, was addressed in a *per curiam* opinion, filed November 4, 2024, affirming the circuit court’s judgment. It covered one notice of appeal, filed on August 8, 2024, from the following order:

- The denial of a “Motion for Injunctive Relief, or in the Alternative, Summary Judgment.”

Case No. 1146, Sept. Term, 2024, was dismissed, by *per curiam* opinion, filed November 4, 2024, as not allowed by law. It covered two notices of appeal, filed on August 9 and 27, 2024, from the following orders:

- The denial of a Motion to Terminate Probation; and

- The denial of a “Motion for Revision on True Copy of Bench Warrant.”

Case No. 1219, Sept. Term, 2024, was dismissed, by order, filed December 13, 2024, due to DeBerry’s failure to file a brief. It covered four notices of appeal, filed between August 19 and September 20, 2024, from the following orders:

- The denial of a fifth Motion to Recuse the trial judge;
- The denial of a “Reconsideration Motion for Status on May 31, 2024 Application for Panel Review of Sentencing;”
- The denial of a “Motion to Stay Pending Response from [the] Commission on Judicial Disabilities;”
- The denial of a “Motion to Consolidate;” and
- The denial of a Motion for Reconsideration of the denial of DeBerry’s “Motion for Ruling on Writ of Actual Innocence.”

Case No. 1544, Sept. Term, 2024, was voluntarily dismissed on February 5, 2025.

It covered one notice of appeal, filed on October 8, 2024, from the following order:

- The denial of a “Motion for Clarity in Regards to [the Trial Judge’s] Order of Recusal.”

Case No. 1777, Sept. Term, 2024, shall be dismissed, by this *per curiam* opinion, as not allowed by law. It covers one notice of appeal, filed on November 5, 2024, from the following order:

- The denial of a Motion to Recall a Bench Warrant.⁸

⁸ DeBerry claims, in her filings, that she did not know the substance of the order from which she appealed here until this Court’s Order to Show Cause. This is confusing because the order, which is stamped on DeBerry’s motion, is available on MDEC, which
(continued)

Case No. 1903, Sept. Term, 2024, is pending before this Court. It covers three notices of appeal, filed between November 20 and December 20, 2024, from the following orders:

- The denial of a “Motion for Public Hearing;”
- The denial of a Petition for Writ of Actual Innocence;
- The denial of DeBerry’s request to attend her VOP hearing virtually; and
- The denial of a Motion to Recall a Bench Warrant.

Case No. 2060, Sept. Term, 2024, is pending before this Court.⁹ It covers four notices of appeal filed between December 22, 2024, and February 26, 2025, from the following orders:

- The denial of a “Motion for Reconsideration Writ of Innocence and Public Remote Hearing;”
- The denial of a “Motion for Leave to Withdraw[,] or in the Alternative[,] Motion to Postpone Pending New Presidential Administration;”
- The denial of a “Motion to Inspect Oath, Bond, and Proof of Investiture;”
- An order setting all pending motions for an in-person hearing; and
- The denial of a Motion to Recall a Bench Warrant.

DeBerry has proven quite capable of navigating. But this also highlights DeBerry’s habit of appealing from virtually every order, without any thought to substance or merit.

⁹ We express no view on the merits of the cases still pending in this Court. We include them here only to ensure our catalogue of DeBerry’s litigation record is up-to-date.

Beyond all the appeals to this Court, this criminal case has also spawned a litany of petitions to the Supreme Court of Maryland.¹⁰

Misc. No. 33, Sept. Term, 2023, was filed on January 26, 2024, and sought an emergency stay of DeBerry’s VOP proceedings. It was denied four days later.

Misc. No. 53, Sept. Term, 2023, was filed on May 9, 2024, and sought a writ of *mandamus* ordering the recusal of the trial judge. It was denied on May 29, 2024.

Pet. No. 219, Sept. Term, 2024, was filed on August 5, 2024, and sought review of this Court’s dismissal of DeBerry’s daughter’s ALA. The petition was dismissed, on September 25, 2024, as not allowed by law.

Pet. No. 221, Sept. Term, 2024, was filed on July 31, 2024, and sought review of this Court’s denial of a fee waiver in Case No. 2201. The Supreme Court issued a series of orders, which are discussed below, observing that the petition was not allowed by law. That said, as best we can tell, the petition has not yet been formally denied or dismissed and seems to still be open.

Pet. Nos. 233 & 236, Sept. Term, 2024, were both filed on August 5, 2024. Neither petition sought review of any order. Instead, they cited “the egregious misconduct by [three Appellate Court judges] in the interest of the public” as the reason issue a writ of *certiorari*. Both petitions were dismissed, on September 27, 2024, as not allowed by law.

¹⁰ Starting with *Pet. No. 221*, every petition, including those discussed below that stem from other circuit court cases, was first filed improperly in this Court, then transferred to the Supreme Court. *See* Md. Rule 8-132(b).

Pet. No. 242, Sept. Term, 2024, was filed on August 2, 2024, and sought review of this Court’s dismissal of DeBerry’s daughter’s ALA.¹¹ The petition was dismissed, on September 25, 2025, as not allowed by law.

Pet. No. 289, Sept. Term, 2024, was filed on September 9, 2024, and sought review of this Court’s denial of DeBerry’s “Motion to Publish” in her daughter’s ALA.¹² The petition was dismissed, on October 17, 2024, as not allowed by law.

Pet. Nos. 313, 315, 316, 317, & 318, Sept. Term, 2024, were all filed on September 30, 2024, and all sought review of this Court’s denial of DeBerry’s requests for a hearing on the State’s motions to dismiss, which were contained in the State’s briefs filed in DeBerry’s various appeals. None of the orders dismissed any appeal. The petitions were all dismissed, on October 17, 2024, as not allowed by law.

Pet. Nos. 361, 362, 363, 364, & 365, Sept. Term, 2024, were all filed on November 8, 2024, and all sought review of this Court’s denial of DeBerry’s request for an extension of time to file paper copies of her brief in various appeals. Her requests had all been denied as moot because the Court’s opinion in each appeal had already been filed. The petitions were all dismissed, on December 31, 2024, as not allowed by law.

¹¹ This petition is functionally the same as *Pet. No. 219*. They were docketed separately because DeBerry opened *Pet. No. 219* herself by filing it directly in the Supreme Court, while *Pet. No. 242* was opened after this Court transferred a “Notice of Appeal” that DeBerry filed in her daughter’s ALA. *See* Md. Rule 8-132(b). The processing time of the transfer is why *Pet. No. 242* has an earlier filing date than *Pet. No. 219* despite being opened later. *See id.*

¹² DeBerry’s daughter’s ALA was dismissed by order, not opinion.

Pet. Nos. 378, 379, & 381, Sept. Term, 2024, were all filed on November 18, 2024, and sought review of this Court’s decisions in Case Nos. 1146, 2201, & 1144. The petitions were all denied on January 29, 2025.

Shaunesi DeBerry v. Devin Nguyen,
Cir. Ct. No. C-02-CV-23-000754

Following DeBerry’s assault conviction, Devin Nguyen conducted a pre-sentence investigation (“PSI”) on behalf of the Circuit Court for Anne Arundel County. On February 21, 2023, Nguyen petitioned the District Court of Maryland, sitting in Anne Arundel County, for a peace order. Nguyen alleged that DeBerry had threatened to physically harm her because DeBerry did not like the recommendation in the PSI. The District Court issued a Final Peace Order on February 28, 2023.

The same day, DeBerry tried to appeal to the Circuit Court for Anne Arundel County, but she failed to pay the filing fee and never requested a waiver. As a result, on April 4, 2023, after giving her an opportunity to cure the deficiency, the District Court struck DeBerry’s notice of appeal. She then filed a “Motion for Copy of Order.” The court denied the motion, and DeBerry appealed from that order on June 18, 2023.

The circuit court held a hearing on July 5, 2023, but DeBerry failed to appear. So the court dismissed her appeal. The proceedings that followed are convoluted.

Case No. 776, Sept. Term, 2023, was administratively closed, by order, on December 12, 2023, after the circuit court struck DeBerry’s notices of appeal due to her failure to pay the unwaived filing fees. It covered four notices of appeal, filed between June 16 and August 11, 2023, from the following orders:

- The denial of a “Motion to Cancel Hearing;”
- The denial of a Fee Waiver Request;
- The dismissal of DeBerry’s appeal from the District Court; and
- The striking of DeBerry’s notice of appeal from the dismissal of her appeal from the District Court.

Because the circuit court “ha[d] rendered a final judgment on appeal from the District Court,” the proper mode of seeking further review was to petition the Supreme Court for a writ of *certiorari*. Md. Code Ann., Cts. & Jud. Proc. § 12-305. The circuit court, however, struck the notices of appeal in Case No. 776 before this Court could transfer them. *See* Md. Rule 8-132(b).

DeBerry later noted three more appeals between December 12, 2023, and February 17, 2024, which were docketed in this Court as *Case No. 1982, Sept. Term, 2023*, from the following orders:

- The striking of DeBerry’s notice of appeal from the earlier striking of her notice of appeal from the dismissal of her appeal from the District Court;
- Declining to rule on a “Motion for Order on June 17, 2023 Motion to Appear Remotely;” and
- The denial as moot of a “Motion to Appear Remotely for July 5, 2023 Hearing.”

This Court eventually uncovered the full procedural history of Case No. 1982, and it has since been transferred to the Supreme Court, in accordance with Rule 8-132(b), where it is pending as *Pet. No. 7, Sept. Term, 2025*. Before this discovery, however, the case spawned two other petitions for a writ of *certiorari*.

Pet. No. 199, Sept. Term, 2024, was filed on July 22, 2024, and sought review of this Court’s order granting DeBerry an extension of time to file paper copies of her brief in Case No. 1982. It was dismissed, on September 13, 2024, for lack of jurisdiction.

Pet. No. 290, Sept. Term, 2024, was filed on September 16, 2024, and sought review of this Court’s order dismissing Case No. 1982, Sept. Term, 2023, due to DeBerry’s failure to file a brief.¹³ It was denied on December 20, 2024.

State of Maryland v. Shaunessi Melvin,
Cir. Ct. No. C-02-CR-23-001231

On July 12, 2023, DeBerry was charged, by way of criminal information filed in the District Court of Maryland, sitting in Anne Arundel County, with failure to return a rental car and related offenses. DeBerry prayed a jury trial, and the case was transferred to the Circuit Court for Anne Arundel County. On August 25, 2023, the State *nolle prossed* all charges. Yet despite this favorable result, DeBerry still noted several appeals.

Case No. 1187, Sept. Term, 2023, was dismissed, by order, on November 30, 2023, as moot. It covered one notice of appeal, filed August 16, 2023, from the following order:

- The denial of a Motion to Postpone.

Case Nos. 1267 & 1373, Sept. Term, 2024, were consolidated and dismissed, by order, on November 18, 2024, as not allowed by law. Together, they covered three notices of appeal, filed between August 28 and September 24, 2024, from the following orders:

- The denial of DeBerry’s “opposition” to the court’s order directing the State to respond to DeBerry’s “Motion to Reinstate Charges;”

¹³ This order was later rescinded, and the appeal reinstated, after DeBerry timely moved for reconsideration and filed her brief.

- The denial of DeBerry’s “Motion to Reinstate Charges;” and
- The denial of DeBerry’s “Motion for Court to Demand Answer from Enterprise Rent a Car and Complainant[.]”

Again, despite the favorable outcome in the circuit court, DeBerry also petitioned for a writ of *certiorari* three times.

Pet. No. 288, Sept. Term, 2024, was filed on September 9, 2024, and sought bypass *certiorari* review of the denial of DeBerry’s “opposition” to the circuit court’s order directing the State to respond to her “Motion to Reinstate Charges.” The petition was denied on December 20, 2024.

Pet. Nos. 380 & 382, Sept. Term, 2024, were both filed on November 18, 2024, and sought review of the dismissal of Case Nos. 1267 & 1373. The petitions were denied on January 29, 2025.

***In re: D.P.,
Cir. Ct. No. C-02-JV-23-000395***

On October 24, 2023, the State filed a Juvenile Petition in the Circuit Court for Anne Arundel County alleging that D.P., a minor, had assaulted one of DeBerry’s daughters, also a minor. At a hearing on January 2, 2024, the State dismissed the petition for lack of evidence. DeBerry, “as victim’s representative” on behalf of her daughter, appealed.

Case No. 2210, Sept. Term, 2023, was dismissed, by order, on June 25, 2024, due to DeBerry’s failure to order the necessary transcripts. It covered one notice of appeal, filed January 11, 2024, from the following orders:

- The denial of a request for remote participation; and
- The dismissal of the petition.

After her appeal was dismissed, DeBerry petitioned for a writ of *certiorari*. *Pet. No. 203, Sept. Term, 2024*, was filed on July 14, 2024, and denied on September 25, 2024.

***Shaunesi DeBerry-Melvin v. Stephen Yaeger, et al.,
Cir. Ct. No. C-13-CV-23-001044***

On December 21, 2023, DeBerry filed, in the Circuit Court for Howard County, a “Petition of [sic] All Police Records and Recordings Concerning [DeBerry’s Minor Child.]” The Howard County Police Department and its employees moved to dismiss. After a hearing on March 27, 2024, the court ordered that DeBerry be given copies of the records and recordings she sought.

DeBerry also named as a defendant, Nordstrom, Inc. After the court’s March 27 Order, Nordstrom moved to dismiss DeBerry’s complaint for improper service. That motion was denied, without prejudice, on June 13, 2024, because of DeBerry’s pending appeal. As best we can tell, this case remains open. So far, it has generated one appeal.

Case No. 415, Sept. Term, 2024, was dismissed, by order, on December 9, 2024, due to DeBerry’s failure to file a brief. It covered one notice of appeal, filed on April 26, 2024, from the following order:

- The denial of a “Motion for Clarity on Status of Summons and Order for Release of Footage from Nordstrom.”

Before her appeal was dismissed, DeBerry petitioned for a writ of *certiorari* twice.

Pet. No. 235, Sept. Term, 2024, was filed on August 4, 2024, and sought review of the denial of a fee waiver. It was dismissed, on September 27, 2024, for lack of jurisdiction.

Pet. No. 314, Sept. Term, 2024, was filed on September 30, 2024, and sought review of this Court’s denial of DeBerry’s request for a hearing on Nordstrom’s motion to dismiss,

which was contained in Nordstrom’s brief. The order did not dismiss the appeal. The petition was dismissed, on October 17, 2024, for lack of jurisdiction.

***Shaunesi DeBerry-Melvin v. Howard Cnty. Police Dep’t, et al.,
Cir. Ct. No. C-13-CV-24-000023***

On January 10, 2024, DeBerry filed, in the Circuit Court for Howard County, a “Petition for Summons from Howard County Police Department.” She never served any of the defendants. Yet, as best we can tell, this case remains pending. So far, it has generated one appeal.

Case No. 414, Sept. Term, 2024, was dismissed, by order, on December 11, 2024, as not allowed by law. It covered one notice of appeal, filed on April 24, 2024, from the following order:

- The denial, without prejudice, of DeBerry’s “Motion to Release Records.”

Before her appeal was dismissed, DeBerry also petitioned for a writ of *certiorari*.

Pet. No. 234, Sept. Term, 2024, was filed on July 31 and August 4, 2024, and sought review of this Court’s denial of a fee waiver, a “Motion for Clarity,” and a Motion to Recuse. It was dismissed, on September 27, 2024, for lack of jurisdiction.

***Shaunesi DeBerry v. Md. Dept. of Pub. Safety,
Cir. Ct. No. C-03-CV-24-000217***

On January 18, 2024, DeBerry filed, in the Circuit Court for Baltimore County, a “Petition for Summons of Probation and Parole In-Service Training Certification, Handwriting Samples, and Oaths of [Various People Related to DeBerry’s Probation].” The Department of Parole and Probation moved to dismiss for failure to state a claim.

Before the court could rule on the motion, DeBerry dismissed the case voluntarily on June 12, 2024. Before that, though, she noted two appeals.

Case Nos. 113 & 660, Sept. Term, 2024, were both dismissed voluntarily on June 17, 2024. Together, they covered two notices of appeal, filed on March 19 and 31, 2024, from the following orders:

- The denial of a “Motion for Reconsideration of Denial for [sic] Alternative Service.”
- The denial of a “Motion to Join MDPP Employees . . . as a [sic] Defendants.”

***Shaunesi DeBerry v. Mount St. Mary’s Univ.,
Cir. Ct. No. C-10-CV-24-000213***

On March 23, 2024, DeBerry filed, in the Circuit Court for Frederick County, a “Petition for Access to Video Footage of Discriminatory Profiling by Patriot Hall Employee Against [DeBerry’s Daughter.]” Mount St. Mary’s University moved to dismiss for failure to state a claim. After a hearing on June 17, 2024, which DeBerry attended remotely, the court granted the University’s motion and dismissed the case. It generated one appeal, though not from the final judgment.

Case No. 292, Sept. Term, 2024, was dismissed voluntarily on December 13, 2024. It covered one notice of appeal, filed on April 11, 2024, from the following order:

- The denial of a Motion for Alternative Service.

Before abandoning her appeal, DeBerry petitioned for a writ of *certiorari* twice.

Pet. No. 220, Sept. Term, 2024, was filed on July 31, 2024, and sought review of this Court’s denial of a fee waiver. It was dismissed, on September 13, 2024, for lack of jurisdiction.

Pet. No. 287, Sept. Term, 2024, was filed on August 28, 2024, and sought review of this Court’s order dismissing DeBerry’s appeal for failure to pay the unwaived filing fee.¹⁴ It was denied on December 20, 2024.

FINDINGS ON THE NATURE OF LITIGANT’S ACTIONS

We next assess the substance and nature of DeBerry’s actions and filings. As we have just shown, her record of litigation is extensive. Yet despite this vast record, to date, none of DeBerry’s appeals or petitions have been found to be meritorious. In fact, most have not even been allowed by law: Of the almost 70 orders from which she has noted appeals to this Court that have already been addressed, fewer than 10 have been appealable.

This ratio is the natural result of DeBerry’s tactic of appealing from virtually every order that a court enters, without any thought to its substance or merit. She even appeals from orders granting her the relief she requested, such as a circuit court granting her motion to withdraw her motion for new trial or granting her request to strike the appearance of her attorney,¹⁵ or this Court’s granting her request for an extension of time to file paper copies of her brief.

To be sure, DeBerry occasionally notes an appeal allowed by law; this is inevitable when a litigant appeals from every single order. But even then, her claims have no basis in law or in fact. DeBerry eventually abandoned all pretense of appearing to take her appeals

¹⁴ This order was later rescinded, and the appeal reinstated, after DeBerry timely moved for reconsideration and paid the filing fee.

¹⁵ Counsel filed the motion to strike his appearance, but DeBerry signed and consented to it.

in good faith. In her more recent briefs, she presented no law or argument on why the circuit court erred. Instead, she invited the Court “to do [its] own due diligence in th[e] matter[s.]” DeBerry, in essence, wants the Court to “delve through the record to unearth factual support favorable to [her] and then seek out law to sustain [her] position” for every appeal she notes. *Van Meter v. State*, 30 Md. App. 406, 408 (1976). “We cannot be expected to” do so. *Id.* The Court has wasted enough judicial resources in docketing, reviewing, and disposing of DeBerry’s frivolous filings.

In addition to frivolous, DeBerry’s filings are also repetitive. For example, she has sought recusal of at least five judges in the Circuit Court for Anne Arundel County, most more than once and five times for the trial judge in her assault case alone.¹⁶ She has also sought recusal of almost every judge who has ever touched one of her appeals in this Court—at least five judges so far—as well as three justices of the Supreme Court. The only justification DeBerry ever offers in these motions is that the judge or justice ruled against her. That, alone, is never a basis to mandate recusal. *See In re K.H.*, 253 Md. App. 134, 154 (2021). We explained this in the first opinion issued in one of DeBerry’s cases, *see DeBerry v. State*, Nos. 114, 774, & 1526, Sept. Term, 2023, slip op. at 2–3 (filed April 4, 2024) (*per curiam*), but she has continued to file the same baseless recusal motions and note fresh appeals when they are denied. DeBerry’s repetitive filings have no greater merit than her original filings, but their cumulative effect in clogging the processes of the Court,

¹⁶ We note that the trial judge eventually recused herself. The record shows, however, that it was neither at DeBerry’s request—no recusal motion was pending—nor mandated by law.

and in burdening judges and staff to the detriment of litigants having meritorious cases, is significant.

Even more disturbing are DeBerry’s attacks on judicial officers in her filings. In her assault case, for example, DeBerry included, in her filings, the names of the trial judge’s parents and children.¹⁷ Similarly, in this Court and the Supreme Court, DeBerry’s filings often contain accusations and insults targeted at judges, justices, and court staff. These attacks are irrelevant to any issues in her cases and are inappropriate within the context of the filings in which they appear. We infer that their only purpose is to harass or attempt to intimidate judicial officers. It is inconceivable to us that a court must subject itself to the type of assault that DeBerry has mounted upon the Maryland judiciary without being able to say, at some point, that “enough is enough.” Indeed, our Supreme Court tolerated DeBerry’s behavior for less than a year before issuing a pre-filing order. *See DeBerry v. State*, Pet. No. 221, Sept. Term, 2024, Order (filed Dec. 5, 2024).

¹⁷ We note, with concern, that DeBerry’s recent filings in her assault case have included similar information about the State’s Attorney tasked with handling the post-conviction proceedings, including his date of birth and home address. This information appears to be unrelated to any issue in DeBerry’s case. It makes no difference that DeBerry may have been able to find the information from publicly available sources, as she did with the trial judge’s family members. Including it in a court filing serves no purpose but to harass or intimidate. The circuit court may, on its own initiative at any time, order “any improper, immaterial, impertinent, or scandalous matter be stricken[.]” *See* Md. Rule 2-322(e) (granting this authority in civil proceedings). *See also State v. Bundy*, 52 Md. App. 456, 459 n.2 (1982) (“[A] post conviction proceeding is deemed to be civil in nature,” and “the rules relating to civil proceedings are applicable[.]”). *Cf. Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 32 n.18 (1984) (“Although litigants do not surrender their First Amendment rights at the courthouse door, those rights may be subordinated to other interests that arise in this setting.” (cleaned up)).

DeBerry’s record is one of blatant abuse of the courts. Her constant harassment of judicial officers, and her flurry of frivolous appeals to this Court and the Supreme Court, inevitably result in delayed justice for other litigants in our system, increasingly congested calendars, and valuable time being wasted and lost as we dispose of her ubiquitous appeals. DeBerry’s appeals and filings are both numerous and patently without merit. Her avowed intent is to frustrate and harass our judicial system. Indeed, in many of her filings, DeBerry flaunts, as a badge of honor, her ever-growing number of appeals. This must stop.

We conclude that an injunction is necessary in light of the utterly frivolous and often malicious nature of DeBerry’s appeals and filings. Behavior of this character cannot be tolerated. Our authority to curb it is ample. The only question is the most effective form in which to exercise that authority in this case.

TAILORING OF INJUNCTION

In fashioning this pre-filing order, we considered a range of possible alternatives. We opted against the imposition of monetary sanctions. Even if such a sanction were permissible, our goal is not to punish DeBerry financially, but to protect other litigants from the harassment and expense of unfounded litigation, and to preserve valuable judicial resources. *See In re McDonald*, 489 U.S. 180, 184 (1989) (“Every paper filed with the Clerk of this Court, no matter how repetitious or frivolous, requires some portion of the institution’s limited resources. A part of the Court’s responsibility is to see that these resources are allocated in a way that promotes the interests of justice.”).

We also considered simply mirroring our Supreme Court’s pre-filing order. But because the Supreme Court exercises discretionary review, it is not necessarily bound by

the same constitutional considerations and limitations that we are. *See Riffin*, 190 Md. App. at 33 n.22. This is why, unlike the Supreme Court, we are issuing this Opinion fully explaining our reasons for issuing the order. Further, the burden DeBerry creates for this Court differs from the one she created for the Supreme Court. Thus, to be effective, our pre-filing order must be tailored to address the issues unique to this Court.

Often in these situations, courts enjoin the frivolous litigant from filing any paper with the court or its personnel without express prior authorization by a judge of the court. *See, e.g., Adkins v. CP/IPERS Arlington Hotel LLC*, 293 Va. 446, 454 (2017). That is the avenue our Supreme Court chose. We agree it is a good start and shall enjoin DeBerry from filing, with exceptions discussed below, any paper with the Court unless first granted leave to file the paper.

The problem with choosing *only* that response is that it places on the Court the burden of reading the litigant's requests for authorization to file. It allows the barrage to continue, just with different labels on the filings. This would also do little to ease the larger problem that DeBerry creates uniquely for this Court: the constant tsunami of freshly noted frivolous appeals. That said, we stop short of enjoining DeBerry from filing any new notices of appeal without leave of a court. This would be mechanically difficult to implement, legally dubious, and, as we noted above, DeBerry still occasionally notes an allowable appeal. Instead, we tailor our order to stem the tide.

DeBerry overwhelmingly notes appeals that are not allowed by law. Their deficiency, however, may go undiscovered for weeks or months until something prompts the Court to examine the record further. This is particularly difficult when DeBerry notes

multiple appeals in quick succession that are docketed in the same case here. *See* Md. Rule 8-421(b). To expeditiously dispose of these meritless appeals before they have the chance to waste additional judicial resources, for every notice of appeal that DeBerry files, this Court, upon receipt, will immediately issue an order to show cause why the appeal should not be dismissed. Within 15 days of that Order, DeBerry must respond, in writing and not exceeding five pages in length: (1) identifying the specific order(s) from which she is appealing; and (2) citing the precise statute, Maryland Rule, or case that authorizes the appeal. DeBerry must also attach, as an exhibit to her response, a copy of the relevant order(s) and, if applicable, a copy of all relevant motions and responses that generated the order(s). Failure to comply strictly with this provision will result in immediate dismissal. This process will allow us to separate the wheat from the chaff early: appeals not allowed by law will be jettisoned with minimal judicial waste, while appeals with at least some legal basis will be allowed to proceed.

We carve out three exceptions to the pre-filing order that may be filed without first obtaining leave to do so. *First*, DeBerry may respond to the Court’s preliminary order to show cause following each new notice of appeal. *Second*, she may file a motion for leave to file any other paper. *Third*, we will accept, and transfer to the Supreme Court, petitions for a writ of *certiorari* improperly filed in this Court.¹⁸ The order also does not extend to

¹⁸ The Supreme Court’s pre-filing order permits DeBerry to file, without leave, a petition for a writ of *certiorari* only from a final judgment of this Court arising out of a criminal case. We strongly considered narrowing the exception to our pre-filing order to match. Particularly because DeBerry has shown that she knows how to properly file petitions in the Supreme Court—Pet. No. 219 was filed correctly there—meaning, despite
(continued)

any filings in any circuit court. Those courts can manage and exercise control over their own dockets without our assistance or interference.

Finally, perpetual orders can be perilous. We therefore authorize DeBerry to submit to this Court, no earlier than two years from the date of the pre-filing order, a motion to modify or rescind the order. This is a period roughly equal to her onslaught against the appellate system. To be clear, however, we do not guarantee, should DeBerry move to modify or rescind the pre-filing order at that time, that her motion will be granted. If DeBerry continues her pattern of frivolous and vexatious litigation, so too shall enforcement of the pre-filing order continue.

APPEAL DISMISSED. COSTS TO BE PAID BY APPELLANT.

repeated instruction from both appellate clerks on the proper method for seeking appellate review in the Supreme Court, DeBerry is intentionally improperly filing notices of appeal in this Court, adding further administrative burden to both appellate clerks' offices. However, determining whether to grant DeBerry leave to (improperly) file a petition for a writ of *certiorari* in this Court would require us to examine its merit and gauge whether the petition is frivolous, which would exceed our jurisdiction. *Cf. Cnty. Com'rs of Carroll Cnty. v. Carroll Craft Retail, Inc.*, 384 Md. 23, 42 (2004) (noting that a circuit court is not permitted "to preclude review of its own decision by striking an appeal . . . for any . . . reason that goes, directly or indirectly, to the merits of the appeal"). Accordingly, we will continue to accept DeBerry's improperly filed petitions for a writ of *certiorari* and transfer them to the Supreme Court for it to decide whether to accept the filings. *See* Md. Rule 8-132(b).