

Circuit Court for Prince George's County
Case No.: C-16-CV-24-001848

UNREPORTED*

IN THE APPELLATE COURT
OF MARYLAND

No. 31

September Term, 2025

RAYMOND D. PARKS

v.

RASHEDA Q. PARKS

Graeff,
Berger,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: January 16, 2026

*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 Raymond D. Parks¹ sued his ex-wife, appellee Rasheda Q. Parks, in the Circuit Court for Prince George’s County, alleging malicious prosecution, false imprisonment, and defamation. Ms. Parks moved to dismiss for failure to state a claim, and, after a hearing, the circuit court granted her motion. This appeal followed. For the reasons below, we shall affirm.

STANDARD OF REVIEW

We review the granting of a motion to dismiss to determine whether the circuit court’s decision was legally correct. *See Tavakoli-Nouri v. State*, 139 Md. App. 716, 725 (2001). In doing so, “we view the well-pleaded facts of the complaint in the light most favorable to the appellant[.]” *Id.* (cleaned up). To survive dismissal, the complaint must plead the material facts “with sufficient specificity. Bald assertions and conclusory statements by the pleader will not suffice.” *Adamson v. Corr. Med. Servs., Inc.*, 359 Md. 238, 246 (2000) (cleaned up). Thus, we will affirm a dismissal “if the complaint does not disclose, on its face, a legally sufficient cause of action.” *Rossaki v. NUS Corp.*, 116 Md. App. 11, 18 (1997) (cleaned up).

DISCUSSION

I. Malicious Prosecution & False Imprisonment

To adequately plead a claim of malicious prosecution, a complaint must allege that: “(1) a criminal proceeding [was] instituted or continued by the defendant against the

¹ In the circuit court’s case caption, the appellant’s surname was spelled “Park.” In every filing in that court and this Court, however, the appellant’s surname is spelled “Parks.” We correct the caption of this appeal to accurately reflect the appellant’s surname and use his correct name throughout this opinion.

plaintiff; (2) without probable cause; (3) with malice, or with motive other than to bring the offender to justice; and (4) termination of the proceeding in favor of the plaintiff.” *Bailey v. City of Annapolis*, 252 Md. App. 83, 94 (2021) (cleaned up). In this context, probable cause “means a reasonable ground for belief in the existence of such state of facts as would warrant institution of the suit or proceeding complained of.” *See Havilah Real Prop. Svrs. LLC v. Early*, 216 Md. App. 613, 624 (2014) (cleaned up).

Here, the complaint generally alleged three instances of malicious prosecution. *First*, it alleged that Mr. Parks was arrested at Baltimore–Washington International Airport on October 30, 2022, “charged with a false claim of not returning a hard drive[,]” which was ultimately dismissed. In subsequent filings and at the circuit court hearing, Mr. Parks corrected this arrest date to May 24, 2022. Nothing in the complaint alleges that Ms. Parks lacked probable cause to institute this proceeding. Indeed, as the circuit court observed, records from the related civil and criminal cases cited in the complaint reveal that the arrest was related to a court, after a hearing, finding Mr. Parks in contempt for violating a protective order. This culminated in Mr. Parks entering an *Alford* plea² to one count of distributing revenge porn, *see* Md. Code Ann., Crim. Law § 3-809, and one count of violating a protective order being placed on the stet docket. The initial contempt finding and the subsequent, related criminal proceedings indicate that Ms. Parks had probable

² An *Alford* plea “lies somewhere between a plea of guilty and a plea of *nolo contendere*” and “[l]ike a guilty plea and *nolo* plea, the *Alford* plea waives challenges to adverse rulings on pretrial motions and all procedural objections, constitutional or otherwise, limiting appeals to jurisdictional defects and challenges based on the propriety of the trial court’s acceptance of the plea.” *Bishop v. State*, 417 Md. 1, 19–20 (2010) (cleaned up). *See also North Carolina v. Alford*, 400 U.S. 25 (1970).

cause to initiate the proceeding. *Cf. Charles v. Charles*, 265 Md. App. 631, 656, *cert. denied*, 2025 WL 3177363 (Table) (2025). Thus, the complaint failed to state a claim for malicious prosecution as to this proceeding.

Second, the complaint alleged that Mr. Parks was arrested again in October 2023, after Ms. Parks claimed he assaulted her, which resulted in a charge of second-degree assault that was eventually nolle prossed. Again, nothing in the complaint alleges that Ms. Parks lacked probable cause to initiate this proceeding. As the circuit court noted after reviewing the exhibits that Mr. Parks attached to his complaint, a commissioner signed off on Ms. Parks’s application for statement of charges and found probable cause to charge Mr. Parks with second-degree assault and issue a warrant for his arrest. *Cf. id.* To be sure, this, alone, does not prove probable cause; “[i]mproperly obtained warrants are a common theme in successful malicious prosecution claims.” *Bailey*, 252 Md. App. at 95 (collecting cases). But, to survive dismissal, the complaint had to allege facts showing that Ms. Parks *lacked* probable cause. Here, the only fact alleged in the complaint and supporting documents related to this element was that the charge was ultimately nolle prossed due to insufficient evidence. But unlike dismissal by a magistrate at a preliminary hearing, *see Banks v. Montgomery Ward & Co.*, 212 Md. 31, 40 (1957), and even in the light most favorable to Mr. Parks, the bare fact that the charge was nolle prossed does not suggest lack of probable cause to initiate the proceeding. As a result, the complaint failed to state a claim for malicious prosecution as to this proceeding.

Finally, the complaint alleged Mr. Parks was incarcerated again after Ms. Parks contacted Mr. Parks’s probation officer and informed them of the assault charge, which

was a violation of his probation. Mr. Parks conceded that the charge was, in fact, a violation of his probation. Ms. Parks, therefore, had “a reasonable ground for belief” that Mr. Parks had violated his probation, which “would warrant institution of” violation of probation proceedings. *Charles*, 265 Md. App. at 655 (cleaned up). Consequently, the complaint failed to state a claim for malicious prosecution as to this proceeding. The circuit court, therefore, did not err in dismissing Mr. Parks’s claim of malicious prosecution.

II. False Imprisonment

To adequately plead a claim of false imprisonment, a complaint must allege that: (1) “the defendant deprived [the plaintiff] of [their] liberty”; (2) “without consent”; and (3) “without legal justification.” *Green v. Brooks*, 125 Md. App. 349, 366 (1999) (cleaned up). Although “a third party who wrongfully instigates another’s *warrantless* arrest may be liable for false imprisonment, the . . . tort does not lie against . . . the instigator . . . where the plaintiff is not detained by the instigator and is arrested by a police officer pursuant to a facially valid warrant.” *Montgomery Ward v. Wilson*, 339 Md. 701, 723 (1995) (emphasis in original). Under those circumstances, “the plaintiff’s cause of action against the instigator is malicious prosecution.” *Id.*

The complaint here alleged that Mr. Parks was imprisoned in connection with the three proceedings discussed above. The attachments to the complaint show that, each time, Mr. Parks was arrested by a police officer pursuant to a facially valid warrant. As a result, the complaint failed to state a claim for false imprisonment, and the circuit court did not err in dismissing Mr. Parks’s claim.

III. Defamation

To adequately plead a claim for defamation, the complaint must allege: (1) the defendant made a defamatory statement to a third person; (2) the statement was false; (3) the defendant was at fault in making the statement; and (4) the plaintiff suffered harm.

See Piscatelli v. Van Smith, 424 Md. 294, 306 (2012).

Here, the complaint alleged two instances of defamation. *First*, it alleged that Ms. Parks “called and sent emails to [the parties’] mortgage lender making false claims of physical, verbal abuse, and concluded that [Mr. Parks] made her and [their] children homeless to not pay the mortgage for over a year still in the name of both [parties].” Mr. Parks attached as an exhibit to the complaint a copy of Ms. Parks’s letter, which was dated August 22, 2022. An action for defamation must be brought within one year from the date it accrues. Md. Code Ann., Cts. & Jud. Proc. § 5-105. The complaint here was not filed until April 17, 2024. Thus, even if defamatory, these statements fall outside the statute of limitations.³

Second, the complaint alleged that Ms. Parks made false claims in her application for statement of charges that led to the second-degree assault charge. Parties enjoy absolute immunity from civil liability for statements made in a judicial proceeding. *Norman v. Borison*, 418 Md. 630, 650 (2011). “[T]hat absolute immunity extends to defamatory

³ On appeal, Mr. Parks filed a second letter from Ms. Parks containing similar statements dated within the statute of limitations. This letter, however, was never filed in the circuit court and so “do[es] not form a legitimate portion of the record[.]” *Rollins v. Cap. Plaza Assocs., L.P.*, 181 Md. App. 188, 200 (2008). Thus, “we cannot consider [it].” *Id.*

statements uttered in the course of a trial or contained in pleadings, affidavits, depositions, and other documents directly related to the case.” *Id.* at 653 (cleaned up). Moreover, and contrary to Mr. Parks’s argument on appeal, it also covers “statements made with the direct purpose or effect of producing a judicial . . . proceeding[.]” *Id.* The statements in Ms. Parks’s application for statement of charges were made with the direct purpose of producing a judicial proceeding, and, as such, are absolutely privileged, regardless of motive or truth. *Id.* at 651, 653. Accordingly, the complaint failed to state a claim for defamation, and the circuit court did not err in dismissing it.

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