Circuit Court for Montgomery County
Case No. 477604V

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 356

September Term, 2020

JAMES ELLIS HALL, II

v.

ISKCON OF D.C.

Nazarian,
Ripken,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Ripken, J.

Filed: May 12, 2021

*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.

In the instant case, we are asked to decide whether the doctrines of *res judicata* and collateral estoppel apply to an action that has been ongoing for multiple years in numerous courts. Appellant, James Hall ("Hall"), initially filed a complaint against appellee, the International Society for Krishna Consciousness of Washington, D.C. ("ISKCON"), in the District Court of Maryland for Montgomery County. His multiple contentions included religious discrimination. The District Court dismissed Hall's complaint, and he filed a de novo appeal in the Circuit Court for Montgomery County. Following a hearing, the circuit court granted judgment in favor of ISKCON.

Hall, thereafter, filed a complaint based on the same underlying facts against ISKCON in the Circuit Court for Montgomery County. Following a hearing, the circuit court, citing *res judicata* and collateral estoppel, dismissed Hall's complaint with prejudice. The court also denied Hall leave to amend the complaint. Hall appeals from these orders. For the reasons stated below, we hold that the circuit court did not err. Accordingly, we shall affirm the circuit court's judgment.

FACTUAL AND PROCEDURAL BACKGROUND

ISKCON is a non-profit religious organization that operates a Hindu temple (the "Temple") in Potomac, Maryland. On June 12, 2018, K.C., an ISKCON member who lived at the Temple, filed a Petition for Peace Order in the District Court for Montgomery County. She claimed that Hall had been stalking and harassing her over the previous few months, and her attempts to curtail his behavior—including verbal requests to stop by K.C. as well as other members of ISKCON and a verbal trespass warning by ISKCON—were unsuccessful. On June 22, 2018, the District Court granted K.C.'s petition and ordered Hall

to stay away from K.C. and certain areas on Temple grounds. ISKCON then sent a "Notice Against Trespass" to Hall, informing him that he was prohibited from entering all ISKCON property.

Meanwhile, in the District Court, Hall filed a complaint against ISKCON and ISKCON's community president, Anada Vrindavan on June 11, 2018.[1] In that complaint, Hall claimed that ISKCON, a "[p]rivate social organization" had "engag[ed] in religious discrimination" and that he had been "excluded/discriminated against because of [his] religious beliefs." Hall asked the court to "overrule the trespassing notice" and to award tort damages of $0.01.

ISKCON thereafter filed a motion to dismiss, and, on October 5, 2018, the District Court held a hearing on that motion. At the hearing, ISKCON argued that Hall's claim should be dismissed because ISKCON was a religious organization and had a right to exclude Hall from the Temple. ISKCON also noted that it did not bar Hall from entering the Temple because of his religious beliefs; rather, it barred Hall because he had been "stalking and harassing a member of the [T]emple's community."

Hall responded by claiming that ISKCON had barred him from the Temple because he wrote some books that were critical of the organization. Hall also claimed that the Temple was a "place of public accommodation" and thus was not permitted to ban him on religious grounds. The court granted ISKCON's motion to dismiss. It found that ISKCON

[1] Hall's *pro se* June 2018 District Court complaint lists the defendant as "Anada Vrindavan, c/o ISKCON of DC." Counsel appeared on behalf of ISKCON and Anada Vrindavan. Hall's later appeal in the circuit court lists the defendant as "ISKCON of DC."

was "a religious organization where attendees congregate for worship" and that it had a right to exclude Hall from its property.[2]

In the circuit court, Hall filed a de novo appeal of the District Court's order dismissing his complaint on November 5, 2018.[3] In that filing, Hall again claimed that ISKCON had committed religious discrimination in barring him from the Temple. Hall further contended that ISKCON's actions negatively affected his employment as a "volunteer" and his ability to sell his books. Hall also claimed that ISKCON had "coerced" K.C. into filing her petition for a peace order.

On May 7, 2019, the circuit court held the hearing on Hall's de novo appeal. Hall was incarcerated at the time serving a sentence for the aforementioned stalking and related offenses,[4] but was present for the hearing. Due to his incarceration, and citing an inability

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[2] At the end of the hearing, Hall indicated that he planned to take his case to federal court. On October 11, 2018, he filed a nearly identical claim in the United States District Court for the Eastern District of Virginia seeking, among other remedies, $12.5 million in damages. The court subsequently dismissed the claim for lack of personal jurisdiction. The court, citing the District Court of Maryland's dismissal of Hall's complaint, also found that Hall's claim was barred by claim preclusion and issue preclusion.

[3] Md. Code, Courts and Judicial Proceedings ("CJ") § 12-401(f) states that, for cases not within a defined class of appeals heard on the record, appeals to the circuit court "shall be tried de novo." The circuit court conducts de novo appeals of small claims matters in an informal manner, to which the usual rules of evidence do not apply. Md. Rule 7-112(d)(2); *see* Rule 3-701(f). The judgment of the circuit court in a de novo trial supersedes the District Court judgment. Rule 7-112(e); *see Huff v. State*, 325 Md. 55, 68 (1991) ("[T]he judgment entered in the de novo appeal is not an affirmance of the District Court; it is the judgment of the circuit court in a circuit court case.").

[4] In January of 2019, Hall was arrested for violations of the peace order put in place on behalf of K.C. In April of 2019, a jury convicted Hall of criminal stalking, harassing, and failing to comply with the peace order. He was sentenced to a term of five years of imprisonment, with all but eighteen months suspended.

to prepare, Hall asked that the court postpone the case for one year. The court denied the motion. It found that Hall already had been given considerable time to prepare for his de novo appeal, that the case had already been postponed as a result of his incarceration, and that prior to his arrest, he had in fact moved to accelerate the date.

The circuit court asked Hall to present his case. Hall objected to "moving forward with the trial." The following colloquy ensued:

> THE COURT: Okay. So are you, you're not going to testify and you're not going to offer evidence this morning?
>
> [HALL]: I'm not going to state my claim officially. I'm not going to, I'm not going to present evidence, testament [sic] or argument. And it's not a refusal to do so on the basis of me not providing the case. I'm objecting to this being held as an actual trial today because the defendant had me arrested on January 28th, and I've had no time to prepare.
>
> THE COURT: Okay.
>
> [HALL]: So again, it should be fairly obvious to everyone in the room that I'm actually still incarcerated right now.
>
> THE COURT: All right. So the plaintiff theoretically is resting his case by providing no evidence in the case.
>
> [HALL]: I'm not agreeing to that but again, this is all a recorded hearing and I'll be filing for a mistrial.
>
> THE COURT: I know you're not agreeing.
>
> [HALL]: Right.
>
> THE COURT: I'm just saying procedurally that's where we are.
>
> [HALL]: Sure.

> THE COURT: There's been no evidence presented. You had the opportunity.

ISKCON thereafter moved for judgment based on Hall's failure to present evidence in support of his claim. The circuit court granted judgment in favor of ISKCON, finding that Hall had been given "every opportunity to present his case" and had "not taken advantage of that." Hall sought certiorari in the Maryland Court of Appeals, which denied his petition as there had been no showing that review by certiorari was "desirable and in the public interest."

Not to be deterred, Hall returned to the Circuit Court for Montgomery County where he filed an original complaint against ISKCON alleging "[i]nterference with the right to freedom of religious practice," "[v]iolation of civil rights," "[d]efamation and harassment," and "[m]alicious intent to damage or destroy valuable intellectual property" on January 10, 2020. For the "interference" claim, Hall alleged that ISKCON had interfered with his rights when it barred him from the Temple in May and June of 2018. For the "civil rights" claim, Hall alleged that ISKCON had violated his civil rights when it refused to sell his books in March of 2018 and then barred him from the Temple in May of 2018. For the "defamation and harassment" claim, Hall alleged that, beginning in May and June of 2018, ISKCON had engaged in a course of conduct designed to impede his book sales and injure his reputation. For the "malicious intent" claim, Hall alleged that, beginning in May of 2018, ISKCON had engaged in a course of conduct "with the intent to damage or destroy valuable intellectual property." Hall again asked the court to retract the trespassing notice and to

award him monetary damages, though he increased his damages request from $0.01 to $150 million.

ISKCON filed a motion to dismiss, arguing that Hall's claims were barred by *res judicata* and collateral estoppel. At the hearing on that motion, ISKCON argued that Hall's claims were barred because they were based on the same set of facts that served as the basis for his District Court claim, which had already been decided. ISKCON also argued that, to the extent that any of Hall's claims deviated from his District Court action, those claims were barred because they should have been included in the District Court action.

The circuit court agreed with ISKCON that Hall's complaint was barred by *res judicata* and collateral estoppel. The court dismissed Hall's complaint with prejudice and without leave to amend. This timely appeal followed.

ISSUE PRESENTED FOR REVIEW

In this appeal, Hall presents two issues, which we have rephrased and condensed into a single issue: Did the circuit court err in dismissing Hall's complaint and in denying him leave to amend?[5] For the reasons discussed below, we hold that the circuit court did not err.

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[5] Hall phrased the issues as:

1. Is a claim rightly barred per *res judicata* or collateral estoppel, if the alleged prior claim was dismissed without prejudice?

2. Is a claim rightly barred per *res judicata* or collateral estoppel, in full, without leave to amend, if the alleged prior claim is simply a component of a current claim; and the alleged prior claim was never adjudicated on the basis of its merits?

DISCUSSION

Hall contends that the circuit court erred in dismissing his complaint with prejudice and without leave to amend. He asserts that the doctrines of *res judicata* and collateral estoppel did not apply because, in the de novo appeal of his District Court case, "a hearing on the merits was never held" and he "was not given a fair chance to be heard." Hall also asserts that several of the claims included in his circuit court complaint were not the subject of his District Court complaint. Finally, Hall asserts that the relief sought in his circuit court complaint, which included monetary damages totaling $150 million, was different than the relief sought in his District Court complaint, in which he sought rescission of the trespassing notice and $0.01 in monetary damages. After setting out the standard of review, we first explain that the circuit court correctly determined *res judicata* bars relitigation of Hall's claims and, second, explain that collateral estoppel also bars his claims.

"When reviewing the grant of a motion to dismiss, the appropriate standard of review is whether the trial court was legally correct." *D.L. v. Sheppard Pratt Health Sys., Inc.*, 465 Md. 339, 350 (2019) (internal quotation marks omitted). In making that determination, we "assume the truth of factual allegations made in the complaint and draw all reasonable inferences from those allegations in favor of the plaintiff." *Ceccone v. Carroll Home Servs., LLC*, 454 Md. 680, 691 (2017). "We also interpret Maryland case law to review whether the [trial] courts' conclusions were correct as a matter of law." *Cochran v. Griffith Energy Servs., Inc.*, 426 Md. 134, 139 (2012).

"With respect to procedural issues, a trial court's rulings are given great deference." *Schmerling v. Injured Workers' Ins. Fund*, 368 Md. 434, 443 (2002). "The determination to allow amendments to pleadings or to grant leave to amend pleadings is within the sound discretion of the trial judge." *Id.* at 443–44. "Only upon a showing of a clear abuse of discretion will a circuit court's rulings be overturned." *Bord v. Baltimore Cnty.*, 220 Md. App. 529, 565 (2014).

A. Res Judicata Bars Relitigation of Hall's Claims

The doctrine of *res judicata*, or claim preclusion, bars relitigation of claims at issue in prior litigation. *Spangler v. McQuitty*, 449 Md. 33, 65 (2016). It applies if "there is a final judgment in a previous litigation where the parties, the subject matter and [the] causes of action are identical or substantially identical as to issues actually litigated and as to those which could have or should have been raised in the previous litigation." *Id.* (internal quotation marks omitted). The doctrine consists of three elements:

> (1) the parties in the present litigation are the same or in privity with the parties to the earlier litigation; (2) the claim presented in the current action is identical to that determined or that which could have been raised and determined in the prior litigation; and (3) there was a final judgment on the merits in the prior litigation.

Cochran, 426 Md. at 140 (quoting *R & D 2001, LLC v. Rice*, 402 Md. 648, 663 (2008)).

We conclude that all the elements of *res judicata* have been satisfied. In analyzing each element, we note that there were two judgments in Hall's original action, one in the District Court and, following the November 2018 de novo appeal, a superseding circuit court judgment. To the first element, ISKCON was a defendant in Hall's June 2018 District

Court action, November 2018 de novo appeal, and January 2020 circuit court actions. Although Hall's pro se District Court complaint named ISKCON's community president as a defendant, his arguments were aimed at ISKCON, and the organization accordingly appeared to defend against his claims. Moreover, Hall later named ISKCON as a defendant in his appeal to the circuit court, further indicating that the original complaint was intended to apply broadly to ISKCON.[6] Notably, Hall does not contend otherwise. Thus, the parties in both actions were the same.

With respect to the second element, the claims asserted in Hall's January 2020 circuit court action were identical to the claims in his June 2018 District Court action. In determining whether claims are the same under the doctrine of *res judicata*, we apply the "transaction" test. *deLeon v. Slear*, 328 Md. 569, 589 (1992). "The transactional approach effectively obligates a plaintiff to bring in a single action all claims 'based upon the same set of facts, and that one would ordinarily expect to be tried together.'" *Gonsalves v. Bingel*, 194 Md. App. 695, 711 (2010) (quoting *Anne Arundel Cnty. Bd. of Educ. v. Norville*, 390 Md. 93, 109 (2005) (brackets and ellipsis omitted)). A "claim" includes "all rights of the plaintiff to remedies against the defendant with respect to all or any part of the transaction, or series of connected transactions, out of which the claim arose." *Hughes v. Insley*, 155 Md. App. 608, 611 (2003). Consequently, "the doctrine of *res judicata* bars subsequent litigation not only of what was decided in the original litigation of the claim but also of what *could have been decided* in that original litigation." *Weatherly v. Great Coastal Exp.*

[6] For its part, the District Court for the Eastern District of Virginia found that Hall's District Court complaint in that court was against ISKCON through its President.

Co., 164 Md. App. 354, 369 (2005) (quoting *Boyd v. Bowen*, 145 Md. App. 635, 656 (2002)).

Here, the claim in Hall's June 2018 District Court action and the claims in his January 2020 circuit court action were all based on the same series of transactions or set of facts—namely, his assertion that ISKCON engaged in certain discriminatory practices, including barring Hall from the Temple, that negatively affected his employment and his ability to sell his books. Because all of Hall's January 2020 circuit court claims were part of the same set of facts as his original action, he was obligated to pursue those claims as part of his June 2018 District Court action and to litigate them in his de novo trial on appeal.[7] Even if none of Hall's January 2020 circuit court claims were raised and decided in his original action, all of them *could have been* raised and decided because, as noted, they were all based on the same set of facts.

Hall argues that his January 2020 circuit court claim should not have been dismissed because the circuit court complaint included "new" causes of action and sought additional damages. He is mistaken. Despite Hall's addition of the "new" claims in his January 2020 circuit court complaint, as well as his amplification of the underlying facts, the "new" claims were still derived from the same set of facts and claims set forth in his original action. Hall should have brought those claims in his original action, but he did not. Hall cannot avoid *res judicata* by applying a new legal theory to the same set of facts. *See Norville,* 390 Md. at 111. Likewise, he cannot avoid *res judicata* by simply asking for

[7] Hall does not contend that he could not have brought his January 2020 claims in the District Court.

different relief in a subsequent action based on claims that had previously been adjudicated. *See Boyd*, 145 Md. App. at 656.

As to the last element, the circuit court issued a final judgment on the merits in Hall's November 2018 de novo appeal. Hall was given a full and fair opportunity to present his claims and any evidence in support of those claims to the court at the trial on the merits held on May 7, 2019. He instead chose not to present any evidence, and, based on that lack of evidence, the court entered judgment in favor of ISKCON on the merits. That judgment was an unqualified, final disposition of the matter and thus constituted a final judgment for *res judicata* purposes. *See Bank of New York Mellon v. Georg*, 456 Md. 616, 669–70 (2017). Moreover, Hall exhausted his rights to appeal the May 2019 judgment when he failed to pursue an appeal of right to this Court and was denied appellate review by the Court of Appeals. Thus, the circuit court did not err in dismissing his complaint on *res judicata* grounds.

B. Collateral Estoppel Bars Relitigation of Hall's Claims

We likewise conclude that the elements of collateral estoppel have been satisfied. Collateral estoppel, or issue preclusion, "is a well-established common law doctrine that bars parties from relitigating an issue that was necessarily decided in a prior adjudication by a final judgment on the merits after the parties had an opportunity to fully litigate the issue." *Motor Vehicle Admin. v. Geppert*, 470 Md. 28, 57 (2020). The doctrine applies where:

> (1) the issue that was decided in a prior adjudication is identical to the issue that the party seeks to re-litigate; (2) the court issued a final judgment on the

> merits; (3) the party that seeks to re-litigate the issue was either a party to, or in privity with a party to, the prior adjudication; and (4) the party that seeks to re-litigate the issue was given a fair opportunity to be heard on the issue.

Elec. Gen. Corp. v. Labonte, 454 Md. 113, 142 (2017).

As to the second and third elements of collateral estoppel, for the reasons explained above, we conclude that the parties to both actions were the same and that Hall's original action resulted in a final disposition on the merits.

With respect to the first element, the record demonstrates that the issues Hall now pursues in the circuit court were "actually litigated" and were "essential to a valid and final judgment." *Shader v. Hampton Imp. Ass'n,* 443 Md. 148, 162 (2015). Specifically, Hall's claim that ISKCON is a place of public accommodation and cannot discriminate with respect to creed was the basis of his claim for religious discrimination and had been disposed of in his previous action. He raised this issue in the District Court, which dismissed the action after finding that ISKCON is a religious organization with the right to exclude, and chose not to address the issue in the de novo circuit court appeal hearing. Nonetheless, Hall's repeated attempts to argue that the Temple is a place of public accommodation—upon which his religious discrimination, violation of civil rights, defamation and harassment, and malicious intent to destroy intellectual property claims are all founded—fail.

We also conclude that Hall was afforded a full hearing on the merits, thereby satisfying the fourth element. Hall argues that he was never afforded a fair hearing on the merits regarding his District Court claim and that no "aspects of the case [were] presented."

Again, he is mistaken. A full hearing on the merits of Hall's de novo appeal was held on May 7, 2019, at which he was given "every" opportunity to present evidence in support of his claim. That hearing was held approximately six months after Hall filed his de novo appeal and nearly one year after he filed his District Court action. Although Hall was incarcerated at the time of the de novo hearing, he nevertheless had ample time to prepare. Moreover, Hall has not presented any reasonable explanation as to how his incarceration prevented him from presenting evidence at the de novo hearing. In short, no aspects of Hall's case were presented because he chose not to present evidence. His choice not to do so does not affect his full and fair hearing on the merits for purposes of collateral estoppel.

Last, we hold that the circuit court did not abuse its discretion in dismissing Hall's complaint with prejudice. Hall was given ample opportunity to present his claims in his original action, in a de novo hearing in the circuit court where he chose not to present his claims. Moreover, he has failed to provide any explanation as to how an amendment of those claims would have circumvented the doctrines of *res judicata* and collateral estoppel, nor has he identified any new or additional claims that could be included in an amended complaint. Any amendment of the claims would fail for the reasons stated above, and thus would be futile. We see no reason to disturb the court's decision to dismiss Hall's claim without leave to amend. For those reasons, we hold that the circuit court did not err in dismissing Hall's January 2020 complaint on *res judicata* and collateral estoppel grounds.

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