Circuit Court for Prince George's County
Case No. CAL1928400

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1139

September Term, 2021

JACQUES CHEVALIER

v.

RUFUS STOVER

Kehoe,
Beachley,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: August 25, 2022

Rufus Stover, appellee, filed a complaint for defamation in the Circuit Court for Prince George's County against Jacques Chevalier, appellant. The case proceeded to a jury trial and the jury found in favor of appellee, awarding him $10,000. The court entered a final judgment on September 17, 2021. Appellant filed a notice of appeal on September 30, 2021. The same day he also filed a motion for reconsideration requesting that the court reduce the money judgment to $1,000. In support of that motion, he alleged that the case had been heard by an "activist jury" who was biased against him and had "no regard" for the evidence he presented. The court denied the motion for reconsideration on November 9, 2021. Appellant did not file a new notice of appeal from that order.

On appeal, appellant contends that the court erred in denying his motion for reconsideration without holding a hearing.[1] However, appellant's revisory motion was filed more than ten days, but less than thirty days, after entry of judgment. Therefore, it was governed by Maryland Rule 2-535(a). The court entered its order denying the motion on November 9, 2021, and appellant did not note an appeal from that order. Rather the

[1] We note that on the first page of his record extract appellant has included a document entitled "Appellant Brief for Reversal Leave/Or Reduction in Money Judgment," wherein he again contends that the jury was biased against him. However, for the reasons set forth herein, that claim, raised for the first time in his motion for reconsideration, is not properly before us. In that document he also asserts that the court erred in allowing Eddie Duran to testify for appellee as a rebuttal witness. But, putting aside the fact that this contention was not set forth in his "questions presented," appellant does not specifically indicate why the court erred in allowing Mr. Duran's testimony or offer any legal authority to support his contention. Moreover, he does not set forth the contents of that testimony or indicate why its admission was sufficiently prejudicial to mandate reversal, even if it was erroneously admitted. Therefore, we will not consider this issue on appeal. *See Klauenberg v. State*, 355 Md. 528, 552 (1999) (stating that "arguments not presented in a brief or not presented with particularity will not be considered on appeal").

only notice of appeal was filed after entry of the final judgment but approximately six weeks before the court ruled on appellant's Rule 2-535 motion. Thus, the notice of appeal was timely as to the final judgment but not the ruling denying appellant's post-trial motion. *See Brethren Mut. Ins. Co. v. Suchoza*, 212 Md. App. 43, 68 (2013). ("It is clear that a notice of appeal must be filed within 30 days after the entry of the trial court's ruling on a motion filed more than 10 days after entry of a judgment for this Court to have jurisdiction to review such ruling."). Because appellant did not note a separate and timely appeal from the order denying his motion for reconsideration, any claim that the court erred in denying that motion is not properly before us.[2] Consequently, we shall affirm the judgment of the circuit court.

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

[2] In any event, there is no merit to appellant's claim. "The denial of a motion to alter or amend or a motion to revise [pursuant to Rule 2-535(a)] is not a dispositive motion and therefore, requires no hearing even if one was requested." *Llanten v. Cedar Ridge Counseling Centers, LLC*, 214 Md. App. 164, 178 (2013).