

Circuit Court for Prince George's County
Case No: CAD12-25905

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1308

September Term, 2020

BILL MATTOCKS

v.

ANGELA MATTOCKS

Reed,
Beachley,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 17, 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.

Following the judicial sale of the parties’ marital home, Bill Mattocks, appellant, moved for the sale to be vacated pursuant to Maryland Rule 2-535(b). Mr. Mattocks also submitted a “Motion to Show Cause,” in which he sought to raise “awareness to the recent ‘unauthorized’ judicial sale of the marital home.” On November 19, 2020, in a single order, both requests were denied by the Circuit Court for Prince George’s County. Because Mr. Mattocks did not note a timely appeal from the denial order, we shall dismiss the appeal.

Maryland Rule 8-202 provides that a party must file his or her notice of appeal “within 30 days after entry of the judgment or order from which the appeal is taken.” This requirement, while not jurisdictional, is a “binding rule on appellants.” *Rosales v. State*, 463 Md. 552, 568 (2019). Here, Mr. Mattocks filed his notice of appeal more than 30 days following the entry of the circuit court’s denial order. Specifically, the denial order was entered by the circuit court on December 3, 2020. Mr. Mattocks’ notice of appeal was filed on January 8, 2021 and was, therefore, untimely. Moreover, because the record does not reflect that Angela Mattocks, appellee, has consented to the filing of a belated appeal, the 30-day filing requirement has not been waived or forfeited.

**APPEAL DISMISSED. COSTS TO
BE PAID BY APPELLANT.**