

Circuit Court for Montgomery County  
Case No: 131774FL

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 1330

September Term, 2019

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TIEMOKO COULIBALY

v.

FATOU GAYE-COULIBALY

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Fader, C.J.,  
Kehoe,  
Wright, Alexander, Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: December 29, 2020

\*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 September 2016, a judgment of absolute divorce was entered in the Circuit Court for Montgomery County dissolving the marriage of Tiemoko Coulibaly, appellant, and Fatou Gaye-Coulibaly, appellee. In 2016, prior to the parties' divorce, the court awarded Ms. Gaye-Coulibaly sole legal and physical custody of the parties' children and entered an order setting Mr. Coulibaly's child support obligation at \$981.00 per month.

In February 2018, the court entered an order finding Mr. Coulibaly in contempt for “willfully and deliberately failing to comply with the Court’s Order to pay child support due to his failure to pay the child support to [Ms. Gaye-Coulibaly] in the amount of Twenty-One Thousand Seven Hundred Thirty-Seven Dollars (\$21,737.00) for April 28, 2016 through January 28, 2018 . . . despite having the ability to do so.” In March 2018, Ms. Gaye-Coulibaly filed a “motion for injunctive relief from harassment,” which specifically alleged that Mr. Coulibaly had “ignored [the court’s] order to purge contempt.” The court, construing the motion as a petition for contempt, issued a show cause order directing Mr. Coulibaly to appear in court to show cause why he should not be held in contempt. After several postponed and rescheduled hearing dates, the matter was set for hearing on November 30, 2018. However, because neither party appeared at the November 30, 2018 hearing, the court dismissed Ms. Gaye-Coulibaly’s motion without prejudice.

In December 2018, Mr. Coulibaly filed a motion to vacate the court’s dismissal order because he had “never received any notice for such . . . hearing” and the dismissal constituted a violation of his “fundamental constitutional rights to due process and [a] fair trial.” The court denied Mr. Coulibaly’s motion on July 30, 2019. On August 7, 2019, Mr.

Coulibaly noted a timely appeal of the court’s June 30, 2019 order, raising the following question for our review, which we rephrase and consolidate for clarity:

1. Did the circuit court err in granting sole custody to Ms. Gaye-Coulibaly and by granting her child support?

For the following reasons, we shall affirm the judgment of the circuit court.

### **DISCUSSION**

Though Mr. Coulibaly noted his appeal from the June 30, 2019 order denying his motion to vacate the court’s dismissal order, his brief fails to direct any argument towards that order or the issues decided therein. We, therefore, decline to consider on appeal whether the court erred in denying his motion. *See* Maryland Rule 8-504(a)(5) (stating that an appellate brief shall contain “[a]rgument in support of the party’s position.”); *Klaunberg 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”).

Moreover, the issues actually raised by Mr. Coulibaly in the present appeal are untimely. The focus of Mr. Coulibaly’s brief is on several alleged procedural defects occurring in 2016 which led to the court’s 2016 orders establishing custody and child support determinations. Pursuant to Maryland Rule 8-202(a), a notice of appeal must be “filed within 30 days after entry of the judgment or order from which the appeal is taken.”

The time for challenging the 2016 orders, therefore, has long passed and we, therefore, decline to review them on appeal.

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