

Circuit Court for Baltimore City
Case No. 24-C-23-002735

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1332

September Term, 2024

CORDEAIRE DAVIS GRAY

v.

MICHAEL E. CATTERTON, MD

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

JJ.

PER CURIAM

Filed: September 15, 2025

*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.

In June 2023, Cordeaire Davis Gray, appellant, filed a complaint against Michael E. Catterton, MD, appellee, in the Circuit Court for Baltimore City. The complaint, in its entirety, stated that appellant was suing appellee “for insurance award Policy Retainer Agreement in the amount of 11.33.318 USD\$ - USDX of 11.33.318\$. I claim that Michael E. Catterton Harass [sic] and intended damage [sic] my estimation and exceptions.” Appellee filed a motion to dismiss on the grounds that the complaint failed to state a cause of action upon which relief could be granted. Appellant did not file a response, and the court granted the motion to dismiss on October 13, 2023.

Appellant filed motions on November 13, 2023, and December 4, 2023, which the court treated as motions for reconsideration, and denied on January 9, 2024, finding that they were “incomprehensible” and failed “to state any grounds for relief[.]” On February 6, 2024, appellant filed another pleading that stated “Reinstate New case and appeal dismissed verdict, and appeal [illegible] supporting [illegible] rights of the Plaintiff Complaint Form and order compensation of the New case time, [illegible].” The court construed this as another motion for reconsideration, and denied that motion on July 9th, 2024. Appellant filed a notice of appeal on July 29, 2024.

In his informal brief, appellant does not raise any specific issues on appeal, stating that he is “explaining evidence starting with [the court’s] disregard of the constitution, and law crimes [sic]” and that he is suing appellee for “1. intentional damage, 2. fraud, 3. inconvenient [sic], 4. perjury, and 5. racketeering, RICO crimes.” Appellee asserts that the court did not err in dismissing appellant’s complaint, and has filed a motion to dismiss the appeal on the grounds that it is untimely, and that appellant has not filed a brief and

record extract that comply with the Maryland Rules. For the reasons, that follow, we shall grant appellee’s motion to 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.” That 30-day deadline is tolled when a motion to alter or amend judgment under Md. Rule 2-534 is filed within ten days of the entry of judgment. *See* Md. Rule 8-202(c).

Here, the court entered its final judgment on October 13, 2023. Because appellant’s first and second revisory motions were filed more than ten days thereafter, the time for appellant to file a notice of appeal from that judgment was not tolled. Appellant, therefore, had until November 13, 2023, to file a notice of appeal from the final judgment. But appellant did not note an appeal to this Court before that time. Nor did he note an appeal within 30 days after the court entered its January 9, 2024, order denying his first two revisory motions. Consequently, his July 29, 2024, notice of appeal was also not timely as to those orders.

To be sure, appellant did file a third motion to reconsider on February 6, 2024. And appellant’s notice of appeal was timely as to the court’s denial of that motion. However, “[t]he denial of [a] second motion to revise is not appealable because it is not a final judgment.” *Pickett v. Noba, Inc.*, 114 Md. App. 552, 560 (1997) (noting that a “second motion to revise filed more than thirty days after the entry of judgment, even though within thirty days after denial of the first motion, cannot be granted”).

Because appellant’s appeal from the final judgment and order denying his first and second revisory motions is untimely, and the order denying his third revisory motion is not an appealable judgment, the appeal must, therefore, be dismissed.¹

**APPELLEE’S MOTION TO DISMISS
GRANTED. COSTS TO BE PAID BY
APPELLANT.**

¹ Even if appellant had filed a timely notice of appeal from the court’s final judgment, we would find no error. First, appellant’s brief does not raise any specific arguments as to why the court erred in dismissing the complaint. *Klaunberg v. State*, 355 Md. 528, 552 (1999) (noting that “arguments not presented in a brief or not presented with particularity will not be considered on appeal”). And even if he had properly raised the issue, the record indicates that appellant’s complaint consisted of a single conclusory statement, and did not disclose, on its face, a legally sufficient cause of action. Consequently, the court did not err in granting appellee’s motion to dismiss.