Circuit Court for Baltimore County
Case No.: C-03-CV-21-002107

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1894

September Term, 2021

IN THE MATTER OF BRANDON WILLIAMS

Kehoe,
Tang,
Woodward, Patrick, L.,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Woodward, J.

Filed: November 17, 2022

On July 2, 2021, in the Circuit Court for Baltimore County, appellant, Brandon Williams, filed a petition for judicial review of the decision of the Maryland Office of Administrative Hearings ("OAH") upholding the certification by appellee, Baltimore County Office of Child Support ("Office of Child Support"), to the United States Department of Health and Human Services ("DHHS") that appellant was a delinquent obligor of child support payments.[1] When appellant did not file a memorandum within the time prescribed by Maryland Rule 7-207(a), the Office of Child Support filed a motion to dismiss appellant's petition. Appellant filed an opposition to the motion to dismiss, in which he set forth a "Memorandum" that he claimed "comport[ed] with the requirements of Maryland Rule 7-207(a)." The circuit court granted the motion to dismiss on the ground that appellant did not file the memorandum "when required by the Maryland Rules of Civil Procedure." Appellant then filed a motion for reconsideration, arguing that the court did not have the authority under Rule 7-207 to dismiss his petition, and further, that his late filed memorandum did not cause prejudice to any party. The court denied appellant's motion for reconsideration, concluding that appellant did not include in his memorandum the information required by Rule 7-207(a).

On appeal, appellant, proceeding *pro se*, raises ten questions, which, as set forth in his brief, are:

> 1. Did the circuit court abuse its discretion when it dismissed and denied the Petition for Reconsideration of its decision to reverse the

[1] As a result of such certification, the United States Department of State denied appellant's application for a passport.

administrative agency's decision without performing the correct standard of review?

2. Has the Circuit Court and Appellee, BCOOCS, CSA exceed its enumerated powers and violate basic principles of federalism and cause further harm and confusion with no consideration taken of the multiple violations ensued against Appellant?

3. Was there an affidavit Appellee, BCOOCS, CSA provide as proof that Appellant failed to pay $354 directly to the mother to enforce this activity?

4. What is the basis of law of the statement(s) made by the circuit court and BCOOCS, CSA that validates this activity to continue?

5. Did the circuit court not violate Amendment 14 § 1 of the federal Constitution of the U.S.?

6. What law supports Appellee, BCOOCS, CSA's authority to curtail Appellant's "right to travel" and "freedom of movement" to seize and block issuance of my driver's license and passport without procedural due process pursuant to Article IV of the federal Constitution of the United States?

7. Do the actions perpetrated and perpetuated by BCOOCS, CSA not cause harm and violate against 42 U.S.C. § 1983 and may be recovered and calls for a Civil action in this case for deprivation of Appellant's rights that are secured by Article IV and Amendment XIV of the federal Constitution of the U.S.? **Monell v. Department of Soc. Svcs., 436 U.S. 658 (1978)** provides that *"every "person" who, under color of any statute, ordinance, regulation, custom, or usage of any State subjects, or "causes to be subjected," any person to the deprivation of any federally protected rights, privileges, or immunities shall be civilly liable to the injured party."*

8. Has Appellant been denied Equal Protection of the laws as secured by Amendment 14 of the federal Constitution of the U.S.?

9. Was Appellant not condemned and have right to be heard for the hearing that was scheduled by the judge at the circuit court dated January 25, 2022, but was dismissed dated 12/26/2021? **Bowman Dairy Co. v. United States, 341 U.S. 214 (1951)**.

10. Are these not clearly established violations of the circuit court and Appellee, BCOOCS, CSA?

We need only address the first question posed by appellant, because appellant makes no argument in his initial brief regarding the other nine questions. Specifically, in the argument section of appellant's brief, there are no arguments articulated in support of questions two through ten; indeed, questions two through ten are never mentioned.

Under Maryland Rule 8-504(a)(6), an appellate brief must contain "[a]rgument in support of the party's position on each issue." When an appellant raises an issue in the appellant's brief, Maryland Rule 8-504(a)(6) requires the appellant to present argument in support of that issue. *Beck v. Mangels*, 100 Md. App. 144, 149 (1994). This "'provision[] [is] mandatory and, therefore, it is necessary for the appellant to present and argue all points of appeal in his initial brief.'" *Id.* (quoting *Fed. Land Bank of Balt., Inc. v. Esham*, 43 Md. App. 446, 457 (1979)). If a party fails to present an argument on any issue included in that party's brief, the issue must be regarded as having been waived. *Ricker v. Abrams*, 263 Md. 509, 516 (1971) (citing *Eggert v. Montgomery Cnty. Council*, 263 Md. 243, 247 (1971)); *see Health Servs. Cost Rev. Comm'n v. Lutheran Hosp. of Md., Inc.*, 298 Md. 651, 664 (1984) ("This Court has consistently held that a question not presented or argued in an appellant's brief is waived or abandoned and is, therefore, not properly preserved for review."). Because appellant failed to present any argument on questions two through ten in his initial brief, we hold that those questions are waived, and we will proceed to address only the first question.

For the reasons set forth herein, we shall affirm.

BACKGROUND

On May 3, 2006, the Circuit Court for Baltimore County entered a consent order requiring appellant to pay $354.00 per month in child support directly to the mother of his child starting April 1, 2006. The order stated that, "[s]hould the Father fall thirty days (30) behind in arrearages, the father's Child Support payments shall be made by wage lien through the Child Support Enforcement Office for Baltimore County." In September 2009, appellant became more than thirty days behind in arrearages and, as a result, the case was forwarded to the Office of Child Support for enforcement by a wage lien. From 2009 to 2021, appellant's child support payments were processed by the Office of Child Support through a wage lien, and the arrearages increased significantly over time. According to the payment history, the last payment received from appellant via a wage lien was on March 13, 2020, in the amount of $102.12. On April 30, 2020, a bill for child support, showing arrearages in the amount of $30,838.18, was generated and mailed to appellant. From April through October 2020, a monthly bill for child support was generated and mailed to appellant with no response or payments made. As of November 1, 2020, the total amount of appellant's arrearages was $33,316.18.

On October 23, 2020, the United States Department of State advised appellant that his application for a passport had been denied based on the certification by the Office of Child Support to DHHS that appellant owed child support. *See* 22 C.F.R. § 51.60(a)(2) (prohibiting the Department of State from issuing a passport to an applicant that has been certified by a state agency to be in arrears of child support in an amount determined by statute). On November 16, 2020, appellant appealed the Department of State's

determination to the OAH and requested a record review in lieu of a face-to-face hearing. Appellant asserted that he did not owe any child support, let alone an arrearage in excess of $2,500.00 required for a denial of a passport application. After a record review, the OAH issued a decision on April 30, 2021,[2] in which it concluded that the Office of Child Support properly certified appellant as a delinquent obligor of child support payments and, therefore, the passport denial was proper.

On July 2, 2021, appellant filed a petition in the Circuit Court for Baltimore County seeking judicial review of the OAH's decision to uphold the certification of appellant as a delinquent obligor. On October 28, 2021, the Office of Child Support filed the administrative record with the circuit court. On October 29, 2021, the clerk of the circuit court sent notice of the filing of the record to the parties. Under Rule 7-207(a), appellant was required to file a memorandum within thirty days after the clerk sent the notice of filing of the record, which was November 29, 2021.[3] When appellant failed to file a memorandum on or before November 29, 2021, the Office of Child Support filed a motion to dismiss appellant's petition for judicial review on December 1, 2021. In the

[2] On February 3, 2021, as a result of the Office of Child Support's failure to submit any exhibits in support of its certification of appellant as a delinquent obligor of child support payments, the OAH reversed the certification. The Office of Child Support then filed a motion for reconsideration on the basis of irregularity of process or procedure, claiming that the Office of Child Support mailed its documents to the OAH on December 17, 2020 and that the documents were never returned to the agency as undeliverable. On March 10, 2021, the OAH granted the motion for reconsideration and vacated the February 3, 2021 order.

[3] The thirtieth day, November 28, 2021, was a Sunday. Under Rule 1-203(a), appellant had until Monday, November 29, 2021, to file his memorandum.

motion, the Office of Child Support requested that the petition for judicial review be dismissed, or in the alternative, that the court order appellant to file a memorandum comporting with the requirements of Rule 7-207(a). In response, on December 6, 2021, appellant filed an opposition to the Office of Child Support's motion to dismiss and included in the opposition a "Memorandum" that, according to appellant, complied with the requirements of Rule 7-207(a). On December 27, 2021, the court entered an order granting the motion to dismiss, stating: "Memorandum of Law as required by the Maryland Rules of Civil Procedure was not filed as required when required by the Maryland Rules of Civil Procedure."

In response to the trial court's dismissal of his petition, appellant filed a motion for reconsideration on January 5, 2022, arguing that Rule 7-207 does not authorize dismissal because appellant was "not presenting argument," and that his late filing of the memorandum did not cause prejudice to any party. On January 10, 2022, the Office of Child Support filed a response, asserting that appellant still did not adhere to Rule 7-207(a) when he filed the memorandum because he failed to include any citations to the 274-page record and improperly attached an exhibit to his memorandum that had not been presented to the OAH prior to the latter reaching its decision. On January 12, 2022, appellant filed a reply, arguing, among other things, that his wages were still being improperly garnished and that the Office of Child Support continued to fail to provide "my contractual obligation to pay what Respondent says I owe." On January 24, 2022, the court denied appellant's motion for reconsideration, stating:

> The Petitioner's Petition for Reconsideration filed 1/5/2022 to which there is a Response filed is DENIED. This petition remains dismissed.
>
> What was filed on behalf of the Petitioner on 12/6/2021 in Response to the Motion to Dismiss were generalizations which did not address what specific facts were contested by the Petitioner and where in the proceedings generated those facts appear. The Motion for Reconsideration does nothing to comply with the Rules so as to allow the Movant and the court to have the benefit, through a memorandum, as to just what contest based on what facts is being generated by the Petitioner. That has not been done in this case.

Appellant filed this timely appeal. We shall provide additional facts as necessary to the resolution of the question presented.

DISCUSSION

The following is appellant's argument section contained in his brief to this Court in its entirety:

ARGUMENT

> The circuit court abused its discretion in denying the petition for reconsideration, because dismissal is the sole remedy for the failure to determine whether the records transmitted by the agency contained substantial evidence to support its findings and whether the agency applied its correct principles of law.
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> As this Court should be aware, judicial review of an administrative decision requires the court to determine whether "there was substantial evidence on the record as a whole to support the agency's findings of fact and whether the agency's conclusions of law were correct." **Motor Vehicle Administration v. Atterbeary, 368 Md. 480, 490-491, 796 A.**2d **75,81 (2002)**. The reviewing court will not substitute its judgment for the expertise of the agency of make its own findings of fact when the record contains substantial evidence to support the administrative decision. **Jordan Towing, Inc. v. Hebbville Auto Repair, Inc., 369 Md. 439, 450-451, 800 A.2d 768, 774-775 (2002)**. The court may substitute its judgment only as to an error made on an issue of law. **Relay Improvement Association v. Sycamore Realty Co., 105 Md. App. 701, 714, 661 A.2d 182, 188 (1995), aff'd., 344 Md. 57, 684 A.2d 1331 (1996)**. Even for

> issues of law, the court extends a degree of deference to the agency and often gives considerable weight to the agency's interpretation and application of the statute that the agency administers. **Annapolis Market Place, LLC v. Parker, 369 Md. 689, 703, 802 A.2d 1029, 1038 (2002)**. Decisions of agencies are entitled to great weight and a presumption of validity, viewing the decision in the light most favorable to the agency. **Board of Physician Quality Assurance v. Banks, 354 Md. 59, 68-69, 729 A.2d 376, 381 (1999)**. Substantial evidence has been described as "more than a 'scintilla of evidence,' such that a reasonable person could come to more than one conclusion." **Relay Improvement Association, 105 Md. App. at 714, 661 A.2d at 188**. Moreover, the agency resolves any conflicting evidence, as well as any inconsistent inferences from the evidence. **Gigeous v. Eastern Correctional Institution, 363 Md. 481, 497, 769 A.2d 912, 922 (2001)**. To conduct this review, it is imperative that the circuit court receive the agency record containing **all of the evidence** considered by the agency having the burden of proving on and for the record along with its decision
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> The logical results of the agency's failure to provide proof for the record would either be a dismissal as permitted by the Rules. Md. R. Civ. P. Cir. Ct. 2-433 and Md. Rule 2-432, or an order to the agency to transmit its evidence within a certain time period, as Appellee was given within the 60-day time frame. Md. Rule 7-206(d). The circuit court failed to apply the proper standard of review in the present case and abused its discretion by then denying the motion for reconsideration once the record had been filed with the court.

To the best that we can understand, appellant is trying to argue that, because the Office of Child Support failed to provide proof that appellant owed child support, the dismissal of his petition for judicial review was improper. Appellant's argument has no relevance to the question raised on appeal. The question on appeal asks this Court to review, for abuse of discretion, the trial court's dismissal of appellant's petition for judicial review and denial of his motion for reconsideration where such dismissal and denial were based on appellant's failure to timely file his memorandum and to provide in his memorandum the information required by Rule 7-207(a). Rather than discussing how

his memorandum comported with Rule 7-207(a), appellant focuses his argument on the insufficiency of the evidence against him.

Upon our own independent review, we conclude that there was no abuse of discretion in the trial court's granting of the Office of Child Support's motion to dismiss and denial of appellant's motion for reconsideration. *See Gaetano v. Calvert Cnty.*, 310 Md. 121, 126-27 (1987) (stating that the standard of review for a dismissal of a petition for judicial review for failure to comply with Rule B12 (the predecessor to Rule 7-207) is abuse of discretion); *Wilson-X v. Dep't of Hum. Res.*, 403 Md. 667, 674-75 (2008) ("[T]he ruling on a motion for reconsideration is ordinarily discretionary, and . . . the standard of review in such a circumstance is whether the court abused its discretion in denying the motion.").

Prior to the adoption of Rule 7-207 in 1993, Rule B12 governed the filing of memoranda in cases involving judicial review of administrative agency decisions. Rule B12, in its entirety, provided:

> Within 30 days after being notified by the clerk of the filing of the record, the appellant shall file a memorandum setting forth a concise statement of all issues raised on appeal and argument on each issue, including citations of legal authorities and references to pages of the transcript and exhibits relied on. Within 30 days thereafter any other party desiring to be heard, including the appropriate agency when entitled by law to be a party to the appeal, shall file an answering memorandum in the same form. The appellant may file a reply memorandum within 15 days after the filing of any answering memorandum. This Rule shall not apply to appeals from the Workmen's Compensation Commission.

In 1987, the Court of Appeals in *Gaetano* observed that Rule B12 was a mandatory procedural rule but made "no mention of the particular sanction to be applied

for its violation." 310 Md. at 125; *see People's Couns. v. Pub. Serv. Comm'n*, 52 Md. App. 715, 720 (1982) (stating that Rule B12 "does not specify or mandate any particular sanction for its violation."). To resolve this issue, the Court established a standard for determining whether dismissal was proper when a memorandum was not timely filed. *Gaetano*, 310 Md. at 121. The Court stated that "a trial judge should examine 'the consequences of the noncompliance in light of the totality of the circumstances and the purpose of the rule.'" *Id.* at 127 (quoting Md. Rule 1-201). The purpose of Rule B12 was "to inform the opposing parties and the trial court of the issues involved in the case, and the appellants' arguments on appeal, in sufficient time for the opposition to respond in kind and for the court to make an informed decision." *Id.* at 126. The Court held that the late filing of the appellant's memorandum "did not undermine this purpose one whit" because the memorandum was filed three months before the trial and thus there was no "prejudice to either appellee in this case caused by the delayed filing." *Id.* at 126-27.

In 1993, the Court of Appeals formally embraced the holding in *Gaetano* with the adoption of Rule 7-207, which encompassed Rule B12 and supplemented it with the appropriate sanction for violation of the Rule. Rule 7-207 now reads, in relevant part:

> (a) Generally. Within 30 days after the clerk sends notice of the filing of the record, a petitioner shall file a memorandum setting forth a concise statement of the questions presented for review, a statement of facts material to those questions, and argument on each question, including citations of authority and references to pages of the record and exhibits relied on. Within 30 days after service of the memorandum, any person who has filed a response, including the agency when entitled by law to be a party to the action, may file an answering memorandum in similar form. The petitioner may file a reply memorandum within 15 days after service of an answering memorandum. Except with the permission of the court, a memorandum shall not exceed 35 pages. In an action involving more than

> one petitioner or responding party, any petitioner or responding party may adopt by reference any part of the memorandum of another.
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> ***
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> (d) Sanctions for Late Filing of Memoranda. If a petitioner fails to file a memorandum within the time prescribed by this Rule, the court may dismiss the action if it finds that the failure to file or the late filing caused prejudice to the moving party. A person who has filed a response but who fails to file an answering memorandum within the time prescribed by this Rule may not present argument except with the permission of the court.

There are two lines of cases that arise under Rule 7-207: those dealing with the late filing of a petitioner's memorandum, and those dealing with the absence of the filing of such memorandum entirely. We will first address the former line of cases.

As previously stated, the Court of Appeals concluded in *Gaetano* that the sanction of dismissal was improper where the memorandum was filed three months before the trial. *Id.* at 126-27. The Court reasoned that the appellees were given adequate time to become informed of the issues and appellant's arguments, as well as to prepare a response to the memorandum. *Id.* In *Billings v. Cnty. Council of Prince George's Cnty.*, 190 Md. App. 649, 666-67 (2010), this Court determined that a memorandum filed almost three months late, but still ninety-five days before oral argument, did not warrant a dismissal. We reasoned that the purpose of Rule 7-207(a) was fulfilled because ninety-five days was adequate to allow the opposing party to respond and for the court to make an informed decision as to the issues presented. *Id.* at 667. In *Dep't of Econ. & Emp. Dev. v. Hager*, 96 Md. App. 362, 376 (1993), this Court held that the appellant's filing of the memorandum five weeks prior to the hearing was not prejudicial because there "was adequate time to prepare fully for the hearing . . . ." We explained that "[t]he obvious

purpose of the requirement that an answering memorandum be filed within thirty days is to ensure that an appellant will know what an appellee's arguments are in sufficient time to fully address them when a hearing is held." *Id.* at 375-76.

The second line of cases arising under Rule 7-207, those dealing with the absence of any filed memorandum, is best illustrated by this Court's decision in *Swatek v. Bd. of Elections of Howard Cnty.*, 203 Md. App. 272 (2012). There, we held that the appellant's complete failure to submit a memorandum was prejudicial to the appellee, and therefore warranted dismissal of the appellant's petition. *Id.* at 283-84. This Court noted, however, consistent with the first line of cases, that, "[e]ven an untimely memorandum, assuming the date of the submission afforded the opposing party sufficient time to prepare, may have satisfied the purpose of Rule 7-207(a)." *Id.* at 284.

In the instant case, appellant filed an untimely memorandum on December 6, 2021. The hearing was originally scheduled for January 25, 2022. Therefore, the Office of Child Support had exactly seven weeks and one day to address the arguments raised by appellant in his memorandum. Under *Gaetano*, *Billings*, and *Hager*, the filing of appellant's memorandum, although late, could have given the Office of Child Support and the trial court ample time to become informed of the issues and appellant's arguments, and therefore would not have been prejudicial to either appellee or the court.

Here, however, the trial court determined that, aside from appellant's memorandum being untimely, the memorandum also failed to provide the information required under Rule 7-207(a). The court stated, in relevant part:

> What was filed on behalf of the Petitioner on 12/6/2021 in Response

> to the Motion to Dismiss were generalizations which did not address what specific facts were contested by the Petitioner and where in the proceedings generated those facts appear. The Motion for Reconsideration does nothing to comply with the Rules so as to allow the Movant and the court to have the benefit, through a memorandum, as to just what contest based on what facts is being generated by the Petitioner. That has not been done in this case.

We agree with the trial court and hold that the memorandum's failure to include the information required by Rule 7-207(a) rendered the late filing to be, in effect, a non-filing. We shall explain.

In his opposition to the Office of Child Support's motion to dismiss the petition for judicial review, appellant set forth a "Memorandum," which we quote in its entirety:

> **MEMORANDUM**
>
> Petitioner by no means is not schooled in law, is not domiciled in Maryland and is not familiar with Maryland Rules. However, in the interest of justice, Petitioner presents the following that comports with the requirements of Maryland Rule 7-207(a):
>
> a. **Statement of the questions presented for review** – Does Respondent have standing to bring this claim against Petitioner?
> **Statement of facts material to those questions** – There is no contract between Petitioner and Respondent.
> **Argument** – With no contract, every tribunal lacks jurisdiction over the person of the Petitioner, and Petitioner does not consent to this interference by Respondent. Therefore, the tribunal loses subject matter jurisdiction.
> **Citation of Authority** – Federal Rules of Civil Procedure 12(b)2 – Lack of personal jurisdiction, 12(b)1 – Lack of subject matter jurisdiction, 12(b)4 – Insufficient process.
>
> b. **Statement of the questions presented for review** – Does Respondent have authority to impair the obligation of the contract between Petitioner and his son's mother?
> **Statement of facts material to those questions** – Both mother and father agree that our contract regarding our minor son has been fulfilled.
> **Argument** – Attached notarized affidavit from the mother dated May

22, 2021.
Citation of Authority – U.S. Constitution Article 1, § 10 – No State shall impair the obligation of contracts.

c. **Statement of the questions presented for review** – Does the tribunals have jurisdiction to hear Respondent's claim?
Statement of facts material to those questions – Jurisdiction has been challenged and not proven.
Argument – The Respondent's case against Petitioner is a violation of due process of law and equal protection of the laws.
Citation of Authority – U.S. Constitution Amendments V and XIV.

d. **Statement of the questions presented for review** – Does Respondent have to defend the Constitution of the United States?
Statement of facts material to those questions – All executive and judicial Officers of the United States and the several States shall be bound by Oath of Affirmation to support the Constitution of the United States.
Argument – Respondent has violated said mandatory oath to support the Constitution.
Citation of Authority – U.S. Constitution Article VI, paragraph 3.

e. **Statement of the questions presented for review** – Has Respondent exceed its enumerated powers and violate basic principles of federalism and cause further harm and confusion with no consideration taken of the multiple violations ensued against Petitioner?
Statement of facts material to those questions – Petitioner's wages continued to be garnished and placed into arrears without verification and validation of said debt, and Petitioner's driver's license and passport has been seized from issuance to freely travel.
Argument – Respondent has gone beyond their degree of the purported debt and placed Petitioner in excess of arrears and violated the Fair Debt Collection Practices Act (FDCPA), and the Petitioner's right to life, liberty, and the pursuit of happiness.
Citation of Authority – 15 U.S.C. § 1692, FDCPA and U.S. Constitution – Excessive fines in violation of Amendment 8, Article 1 § 10, Amendments 4 and 14 and 31 U.S.C. § 3124.

Under Rule 7-207(a), appellant was required to file a memorandum that "set[] forth a concise statement of the questions presented for review, a statement of facts

material to those questions, and argument on each question, including citations of authority and references to pages of the record and exhibits relied on."

Here, appellant first failed to provide a statement of facts material to the questions presented. Many of the "facts" set forth by appellant are not facts at all, but rather legal conclusions. For example, for the first question, appellant states as a "fact," "[t]here is no contract between Petitioner and Respondent"; for the third question, appellant puts forth as a "fact," "[j]urisdiction has been challenged and not proven." More importantly, appellant never cites to any page or exhibit in the 274-page administrative record where a fact at issue is located.

Second, appellant fails to present any argument in support of his position on the questions presented. What he states as "arguments" are legal conclusions with no indication of the legal principles involved and how those principles lead to the stated conclusions based on the facts in the record. For example, for the third question, appellant states, "[t]he Respondent's case against Petitioner is a violation of due process of law and equal protection of the laws"; for the fourth question, appellant writes, "Respondent has violated said mandatory oath to support the Constitution."

Finally, in question two, appellant refers to a "notarized affidavit from the mother dated May 22, 2021." Because the OAH issued its decision on April 30, 2021, such "affidavit" was not part of the record before the circuit court, nor did the OAH consider it in reaching its decision.

In sum, appellant failed to provide in his memorandum the information required by Rule 7-207(a). By not providing such information, appellant violated the purpose of

Rule 7-207, which is "to inform the opposing parties and the trial court of the issues involved in the case, and the appellants' arguments on appeal, in sufficient time for the opposition to respond in kind and for the court to make an informed decision." *Gaetano*, 310 Md. at 126. In our view, a memorandum without the information required by Rule 7-207(a) is no memorandum at all. Like the appellee and the circuit court in *Swatek*, where no memorandum was filed by the appellant, the Office of Child Support could not have prepared a response to the questions presented by appellant, nor could the circuit court have made an informed determination of those questions. *See Swatek*, 203 Md. App. at 284. Consequently, both the Office of Child Support and the circuit court were prejudiced by appellant's non-compliance. Accordingly, we hold that the circuit court did not abuse its discretion in dismissing appellant's petition for judicial review and denying his motion for reconsideration.

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