

Circuit Court for Baltimore City
Case No.: C-24-FM-24-811169

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1956

September Term, 2024

O.D.

v.

P.D.

Reed,
Zic,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

Opinion by Kenney, J.

Filed: August 11, 2025

*This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This appeal arises from a Final Protective Order (“FPO”) issued by the Circuit Court for Baltimore City against Appellant O.D. (“Father”), based on a petition alleging domestic violence and child sexual abuse filed by P.D. (“Mother”).^{1,2} At the hearing for the FPO, the circuit court found by a preponderance of the evidence in favor of Mother and ordered Father, in addition to other requested relief, not to contact or abuse any of the named children and to vacate the shared family residence. Father’s motion for reconsideration was denied by the court. In this timely appeal, Father presents three questions that we have reduced to one: Did the court err in granting the FPO? Perceiving no error in the court’s findings, we shall affirm.³

¹ To protect the children’s identities, we refer to the parties by their initials and to the children by randomly selected letters.

² Mother did not file a brief in this appeal.

³ Father’s presented questions are:

I. Did the circuit court err in granting the Appellee a protective order against the Appellant despite unrefuted evidence that the Appellant’s mother had previously disclosed evidence of sexual abuse towards the parties’ four year old daughter on the part of the Appellee’s son to the Appellee when the allegations against Appellee’s son were credible and Appellee’s behavior related to, and the timing of, her allegations against the Appellant were highly suspect?

II. Did the circuit court err when it ignored testimony about abuse on the part of the minor children’s older brother despite testimony by witnesses as to concerning sexualized behavior on the part of the minor children’s older brother?

III. Did the circuit court err when it lent significant weight to the Appellee’s testimony on the basis that it was likely that the Appellant would lose his security clearance and career but failed to give any weight at all to the Appellant’s testimony for the same reason when it was the Appellant who stood to lose his security clearance and career as well endanger any future criminal defense by waiving his rights against self-incrimination?

(continued...)

BACKGROUND

The parties married in August 2019. Together, they have three children: A (daughter, age 4); B (daughter, age 2); and C (son, age 4 months). In addition, Mother has two sons, D (age 11) and E (age 7). All the children live in the family residence.

On September 25, 2024, Mother filed a petition against Father for a protective order in the District Court of Maryland for Baltimore City on behalf of herself and B. She asked the court, in addition to other relief, to order Father not to abuse or contact the five children and to award her custody of A, B, and C. In support of that petition, Mother alleged that Father sexually abused A and B. The court granted an interim protective order, followed by a temporary protective order that ordered Father not to abuse or contact A and B and to vacate the home. It awarded Mother custody of A and B. Because of a pending divorce action between the parties, the case was transferred to the Circuit Court for Baltimore City.⁴

An FPO hearing was held in the circuit court on October 22, 2024. At that hearing, Father was represented by counsel; Mother was self-represented.

Mother's Case

On September 23, 2024, A told Mother that she was “itchy” near her vagina. Mother inspected A’s front private areas and noticed some redness near her vagina. After asking A “did someone touch you,” A responded. Her response was not testified to, but Mother did testify that she told A, “Don’t tell daddy you told me.” Mother, who testified that she

We shall consider each of Father’s arguments in the discussion that follows.

⁴ A divorce hearing, scheduled for three days, is to begin on September 16, 2025.

was abused as a child, decided to take her children to Hopkins Children’s Hospital (“Hopkins”). After informing the Hopkins staff of her concerns and what A had told her, Mother was referred to University of Maryland Medical Center (“UMMC”). Mother, accompanied by a police escort, took the children there.

Testifying “just to be safe,” Mother expressly requested that the nurses and a doctor at UMMC examine both A and B. Afterwards, and based on the results of the examination, Mother drove to Stafford County, Virginia, to stay with her mother. The next morning, she obtained a three-day emergency protective order in Virginia for A (the “Virginia petition”).⁵ Because the alleged abuse occurred in Baltimore, and believing that Father had also abused B based on what B had told her sometime after leaving UMMC, Mother returned to Maryland and filed a petition for a protective order in the Circuit Court for Baltimore City on behalf of B. In that petition, she asked the court to prevent Father from contacting any of her children.

Mother further testified that Father had been abusive to her during the marriage, which led her to believe her daughters’ allegations. According to Mother, Father “seems to like young women[,]” and that she was “never raped until I was married to him.”

The medical records of A and B from UMMC were admitted. The After Visit Summary for A indicated that A was examined for alleged sexual assault, and the medical team saw “some vaginal irritation present.” The document explained that “[t]his is not a

⁵ The order states that the magistrate found “[r]easonable grounds exist to believe that [Father] has committed family abuse and there is probable danger of a further such offense against the allegedly abused person, [A.]”

specific finding for sexual assault[,] which does not mean it did not happen – just that there is no definitive evidence that it occurred.” The After Visit Summary for B indicated that she was examined for alleged sexual assault, and the medical team “saw that she had a diaper rash.” It also stated that “[t]his is not a specific finding for sexual assault[,] which does not mean it did not happen – just that there is no definitive evidence that it occurred.”

Mother’s petition in Virginia was also entered as an exhibit at the hearing. That petition alleged that Father sexually abused A and B. Mother testified that A told her the following factual details alleged in the Virginia petition:

Yesterday around 210 – 220/230 my daughter informed me that my husband had been touching her genitals in the night while she sleeps. As soon as my husband returned from picking up the boys I made up an excuse to go shopping with my sister for Halloween costumes so I could get the children to the emergency room as quickly as possible to get them examined without him knowing. My daughter told them he had been touching her privates at night and CPS, Baltimore police, and social workers got involved. I headed straight from the hospital here to my parents in Stafford with my children.

On cross-examination, Mother testified that a safety plan was filed with the Maryland Child Welfare Services for A and B, which was also admitted at the hearing. The safety plan alleged child sexual abuse and required Mother to ensure that Father had no contact with the children during the investigation, which, Mother testified, was ongoing at the time of the hearing.

After Mother entered into evidence the Maryland Interim Protective Order, dated September 25, 2024, on behalf of A and B, she testified that the factual assertions in it included the following:

My daughter ([B]) informed me her father has been touching her genitals as well as showing his genitals to her as well as biting her, pulling

her hair and putting his hand over her mouth so I won't hear. Please relieve of us [sic] this man and allow me to get my children[']s things from our home. We left straight from the hospital (1st - JH Childrens Emergency to Univ of MD Hospital for the girls to be evaluated. I had to flee with my children to my mothers house in VA to keep them safe afterward. I believe this man is a SOCIOPATH. My daughter [A] was the first to tell me these accusations on 9-23-24 around 2-3 pm. I took her to hospital to be evaluated immediately. She said he touched her vagina with his fingers.

Still on cross-examination, Mother was asked if Father's mother had informed her that her son, D, was sexually abusing A. The following colloquy occurred:

Q. And isn't it true that on Labor Day weekend my client's mother came to you and disclosed that [D] was sexually abusing [A]?

A. She said that [A] told her that. And I said, "Are you sure?" And I said that I would address it. And everyone was confused when I addressed it with the boys. And I –

Q. And the –

A. – made sure that they were aware if that ever happened that I – you can take this how you want it, I brought them into this world, and I'll take them out.

Q. Okay. You never told my client about it. Correct?

A. No. Because I knew he would kill [D] because he's been wanting to get rid of [him].

Q. He's been wanting to get rid of your son. In fact, on Sunday, the day before your allegations began –

A. Mm-hmm.

Q. – you and [Father] had an argument about [D's] behavior. Correct?

A. We have arguments about [D] every day.

Q. Okay. And you were angry and said he was just trying to get [D] out of the house. Correct?

A. He's always been trying to get [D] out of the house.

Q. Isn't it a fact that [D's] computers and cell phones have been monitored because he observes porn? He's been caught looking at porn?

A. Yeah. He's a 10-year-old boy. I mean, I don't think that's –

Q. Okay. He's also been ordered by his school system to attend counseling because of sexually inappropriate comments he's made to girls his age. Correct?

A. That's not true at all. No.

Mother later explained that D did not make “inappropriate sexual comments” at school but did call a girl the “B word” one time. She denied that D got into trouble at a camp for looking at pornography. Mother agreed that D called his siblings “brats” and that D wrote a note referring to them as such. There was additional testimony that D was in counseling because of his ADHD and his behavior.

In further cross-examination, Mother denied that D set fires but agreed he had played with a lighter. She denied D had had an emergency psychological evaluation and that he was physically abusive of his younger brother, E, or his babysitter. She agreed that D had spread feces on a wall one time. Mother also agreed that she had been informed by a counselor that D suffered a traumatic event that occurred when he saw her arguing with his biological father.

Her cross-examination concluded with Mother denying filing the protective order petition “to get the upper hand in the pending divorce litigation” and stating that she did not know Father had filed for divorce until being served by his attorney at their last meeting. She did know, however, that Father was looking for a divorce lawyer because she

“went through his phone[.]” When she was asked if she filed the petition in order to protect D from these accusations, Mother testified, “No. I’m trying to protect my children and all other children from pedophiles is what I’m trying to do, ma’am.”

After her cross-examination concluded, Mother was asked by the court if she wanted to add anything further. She indicated having some text messages. The court asked her to summarize rather than admitting them into evidence. With respect to the divorce, Mother testified that, on one occasion, she asked Father during an argument if he was printing out divorce paperwork on their home printer. She stated, “he always would throw divorce in my face as a way to keep me in line[.]” and “always threaten to divorce me because he knew I completely relied on him.”

Upon further questioning by the court, there was the following exchange:

THE COURT: Fair enough. Okay. And without having to look through the texts, is there a summary of those texts that you feel like you can provide?

[MOTHER]: He just was trying to push me away. I had been getting this feeling like he wanted to get rid of me and now I realized it was to keep the kids – he wanted to – he always would threaten that he would keep the kids and divorce me. And I was scared because –

THE COURT: Is that what the text says, something like –

[MOTHER]: They’re just a – how – it was our interactions over the few days ‘cause [Father’s counsel] was talking about our interactions. And she said I was trying to get the upper hand. And I in no way, shape, or form ever wanted to divorce my husband. Ever. I never thought that this would happen. So, if that –

THE COURT: So, I understand your answer, you never want to divorce him before you were aware of this –

[MOTHER]: Yes, before that. But now, definitely. Yes.

THE COURT: And it's prompted by the alleged sexual –

[MOTHER]: Yes. Yes.

Father's Case

Father's first witness was his mother, Amelia McNeil. Ms. McNeil testified that she frequently took care of her grandchildren. In May 2024, while Mother was in the hospital giving birth to C, she was babysitting the children. When she was about to give A a bath, A told her that "she was bothered down there." After further inquiry, A told her that D had "touched [her] down there." Ms. McNeil testified that, at some point during that summer, she told Mother that D "had been touching the girls."

On or around Labor Day, 2024, the children were again staying with Ms. McNeil. A told her that she needed help going to the bathroom. Ms. McNeil testified that "when I got ready to wipe her, she was sore down there." A told her that D "touched me again[,] and showed Ms. McNeil how D touched her. When Ms. McNeil spoke to D about A's allegations, he denied them.

According to Ms. McNeil, she also called Mother about these allegations:

I called her. I said, "[D] has been touching these babies." I said, "You got to do something. You've got to do something." I told her, "You told me you was going to protect these babies." I said, "You're not protecting them."

I said, "You got to do something." I said, "But, God, he can't go on like that, touching those babies." And I knew something was wrong with [D], but she don't want to own up to it because he even watch me. And she was always so protective of him.

When asked what Mother said in response, Ms. McNeil testified:

She said, “Mama, thank you for telling me.” She said, “I’m going to kill them boys, ‘cause they ain’t got no business touching them girls like that. I’m going to kill them boys for touching them girls.”

And I told her, I said, “But you better handle this. You got to handle this.” I said, “‘Cause this is not right.” And he had been touching [B] – he had been touching [E] as well, ‘cause [E] had been telling her that [D’s] been touching his butt.

After overruling Mother’s objection to Ms. McNeil’s latter revelation, the court asked Ms. McNeil when she informed Mother of A’s allegations. The court clarified with her that A’s first disclosure to her was in May 2024 and the second was around Labor Day. When asked by the court what she told Mother during this time frame, Ms. McNeil testified that she told Mother to “[w]atch [D]” and to “[w]atch [D] around those girls.” She suggested Mother put shorts on the girls so “their bottom won’t be showing.” She also testified that her husband told Mother, “Just monitor them. Monitor them.” Then, over Mother’s objection, Ms. McNeil testified that “I even told [Father] because he had the kids all the time.”

When asked why she did not report A’s first disclosure in May, Ms. McNeil testified that she “wanted to make sure as to what that baby was saying was right.” It was after the disclosure around Labor Day that she told Mother because she then “knew that baby was telling the truth.” But with respect to the alleged allegations against Father by the two-year-old, B, Ms. McNeil testified that B’s vocabulary was limited and she would not have been able to describe sexual abuse.⁶

⁶ Father testified similarly.

Ms. McNeil was also aware that D watched pornography because he downloaded an X-rated movie on one of the children’s phones while he and the other children were staying with Ms. McNeil.

According to Ms. McNeil, there was an occasion when she and Mother were out and their conversation turned to false allegations of sexual abuse. In that conversation, Mother told her that her mother “got her kids by using the littlest ones to say that they was molested.” When Ms. McNeil expressed disapproval, Mother stated, “Well, you got to do what you go[t] to do.”⁷

When asked about Father’s relationship with the children, Ms. McNeil stated that he “breathes those girls. He loves those girls[,]” and they “are his queens.” She also testified that “[h]e loved those boys.” She had never seen Father to be physically abusive or lose his temper with the children.

According to Ms. McNeil, she told Father about the allegations around September 23, 2024, which was shortly after Mother left with the children. She said that she did not know that Mother had not told Father about A’s allegations about D. Specifically, Ms. McNeil testified that, on the “day that [Mother] left,” “I told him that [D] had been molesting those girls.” Asked by the court why she waited so long to tell Father, she answered, “[b]ecause she is the Mother[,]” and because Mother had told her “she didn’t want [Father] to have anything to do with [D] ‘cause that was her son.”

⁷ In response to Mother’s objection to this testimony, Father’s counsel argued this evidence was relevant to the issue of custody in the divorce proceedings and Mother’s credibility in these proceedings. The court overruled the objection.

Father then testified. He explained that he had a high-level security clearance, which might be jeopardized by his testimony in the case. He also understood that he had a right not to testify to something that could “end up as a criminal charge.”

Father testified that, prior to September 23, 2024, the state of the marriage was “rough,” partly because he had lost his job. He and Mother were arguing over finances and about D, who “was doing things in the house[,]” including starting fires, damaging appliances, and physically assaulting his younger brother, E. Father characterized D’s conduct as “malicious,” and that he had an “issue” with pornography, which he would find ways to access despite Father’s attempts to ban him from electronics.

D was also harming the girls. According to Father, one time, D “elbowed” A in the chest. D was “labeled a bully” and a “distraction” by the school system and was required to attend therapy with a social worker. At some point, when Father told a social worker about D’s behavior with the girls, the social worker advised keeping D “separate from the girls” because she thought D was “dangerous.”

Father maintained that Mother “only wanted to deal with the ADHD part of it” and opposed further counseling to address D’s behavior. And that, at one point, he “threatened [Mother] that if she didn’t get [D] counseling then I was going to get a divorce.” Asked by the court why he suggested divorce as a solution to D’s behavior, Father testified that he was seeing a cardiologist for heart problems and that the ongoing issue with D was aggravating his physical condition. He confirmed he had talked to prospective divorce lawyers and that Mother had discovered this when she went through his cellphone.

On September 22, 2024, the day prior to Mother leaving with the children, Father and Mother were arguing about finances and D. The following day, Mother told him she was going to take the children shopping for Halloween costumes. When she had not returned later that evening, and his attempts to contact her were unsuccessful, Father called Ms. McNeil and told her he believed that Mother had fled with the children. Father testified that was when he first learned from Ms. McNeil that A told her that D was abusing her.

Father became upset. Although the sequence is unclear, he called security at his workplace to report the allegations, contacted the police, and also contacted the Department of Social Services (“DSS”). He testified that, as of the date of the hearing, he had not been contacted by DSS. Father further testified that, after he called the police and the police arrived at the residence, they called Mother in his presence. During that phone call, Father overheard Mother say, “I just needed time to get away. I just needed some space . . . away from my husband.” He further testified that the next day, September 24, 2024, he tried to obtain a protective order based on D’s conduct, but it was denied.

Father was not aware that he was being accused of sexual abuse until he was served with Mother’s petition for a protective order. He denied sexually abusing A and B. And when asked if he had ever “hurt your son,” he testified, “I did not.”⁸

During cross-examination, Father maintained that he had seen the school report card labeling D a “bully.” He further testified that he saw D watching pornography on two

⁸ Which son this referred to is not clear, but because the context is the hearing based on Mother’s allegations, it presumably refers to D. In addition, Mother asked Father, on cross-examination, if he had ever physically abused D, and Father replied in the negative.

occasions, which, considering D was only ten years old, was “very troubling.” Further, Father testified that he attended four virtual therapy sessions for D.

Following a short redirect examination, Mother asked Father on recross whether he “ever witnessed [D] being sexual with your daughters?” Father testified that he had seen D “trying to, like, play hump” when the children were “up under the covers” and that he also saw D playing a type of game that he referred to as “show shirts and stuff.”

Argument on the Protective Order

Mother argued that she believed Father “has been sexually abusing my children for much longer than I can even fathom most likely[,]” and that he had been physically abusive with D. She concluded by asking the court to grant the protective order.

Father’s counsel argued that Mother had a motive to fabricate the allegations against Father and was “just manufacturing” her abuse claims “for the purposes of divorce.” Counsel noted Mother’s acknowledgment that Ms. McNeil had told her D was “touching the girls,” but that she did not inform Father. Instead, she alleged Father was the one abusing their daughters. After pointing out that Mother changed her testimony about whether she wanted a divorce and whether she and Father were “getting along,” counsel argued:

It's crafty the way she's done it. But if you look at it very closely and you see the inconsistencies and most concerning her admission that she knew about [D] but didn't tell anybody. Didn't tell the authorities. All she said she – that it was my client doing it. It was him doing it and he needs to be kept away from these girls .

And what's more concerning is it started with one child. Then it went to two. And now, it's four out of the five. So, it's just snowballing. And every time come [sic] into court, the accusations have gotten worse.

Counsel also argued that Father’s credibility was supported by the fact that UMMC and DSS made no findings of abuse after an examination of the children. Counsel concluded by arguing that the solution to this “family in crisis” was not a protective order. Rather, “[t]his family needs resources, but it’s not to enter a protective order that’s going to have my client lose his job, have my client not around the children at all. That isn’t going to solve the problems they’re experiencing.”

In her reply, Mother responded that a protective order would “solve our problems” because the children would be “finally free of their abuser.” She argued that Father was trying to protect his income, and even though her income was dependent on Father, “what benefit would it be for me to destroy my whole life for this?” She further maintained that she was aware of Father’s threats to divorce her for some time before she left with the children because he “constantly threatened to divorce me over the course of our marriage[.]”

Mother concluded by contesting the allegation that she “did nothing to protect [her] children against [D,]” and insisted that she did address the issue with her children. Moreover, when the children were examined at UMMC, she told the police officers there that Father was “most likely going to blame this on [D] because he’s been trying to get rid of him.”

The Court’s Ruling

It began:

All right. All right. Thank you, everyone. I need a moment to review. Just give me a minute, please. Just by way of reminder to everyone, the

standard in this case is that if I’m able to find by a preponderance of the evidence that the alleged abuse has occurred, then and only then may I grant a final protective order to protect any person eligible for relief from abuse, which would have been the children that are alleged in this petition.

So, that’s my consideration. A preponderance of the evidence, if you think of a scale, if my point of view if 50/50 where I believe both sides equally, then [Mother] has not met their standard. All [Mother] has to do is slightly tip the scale ever so slightly in their direction, which in this case would be in her direction, [Mother]. And that would be all that’s necessary for me to find in her favor.

Again, if it tips in [Father’s] favor, his favor, or if it remains evenly balanced then I cannot grant a protective order in this situation.

Turning to the testimonial evidence, the court recounted that Mother testified that A was the first to tell her about the allegations against Father, and that B had “informed [her] what her father had been doing.” Referring to the exhibits, the court noted that Mother wrote, “My daughter informed me that my husband had been touching her[.]” Both A and B repeated the allegations and no one took issue with the older child’s ability to communicate them.

In regard to Father’s evidence, the court distilled from it that Father saw “the problem in this house [to be] this other child, the son, [D,]” and that Father was focused on the petition being “motivated by concerns about divorce coming.” The court then observed that Mother took A and B for a medical evaluation around September 23, 2024, and that “is kind of a lot to subject your child to if you think you need to just pad a divorce filing.”

As to the protective order filed by Father in regard to D, the court indicated that “I have no context of it” other than “it was denied.” But it accepted counsel’s explanation that it was filed before Father knew that he was being accused of sexual abuse.

The court also found that the grandparents waiting so long before reporting the allegations against D to be “perplexing.” The court stated, “I don’t even think Mom was told what to be concerned about the first time back in May” when she was “told to watch [D].” Finding that Mother first found out from Ms. McNeil about the allegations against D around Labor Day, the court opined, “I don’t know how we can judge Mom for not reacting when grandma reacted with even a slower level of reaction for months.” The court noted that the statement in Mother’s September 25, 2024 petition that B “informed me last night” of the allegations against Father indicated to it that this was the information leading to her filing for relief.

The court continued:

THE COURT: That’s how it portrays. All right. Well, to the extent it matters to anyone here, it’s close. It’s not 50/50, but it is close. And I don’t know that it rises to the level of me being convinced beyond a reasonable doubt. But I am able to find by a preponderance of the evidence that the abuse was committed in this case.

[FATHER]: What?

THE COURT: So, I’m going to grant a protective order.

STANDARD OF REVIEW

“A trial court may grant a final protective order if there is a finding ‘by a preponderance of the evidence that the alleged abuse has occurred[.]’” *Hripunovs v. Maximova*, 263 Md. App. 244, 261 (2024) (quoting Md. Code (1984, 2019 Repl. Vol., 2023 Supp.) Family Law Article (“FL”) § 4-506(c)(1)(ii)). “Preponderance of the evidence means ‘more likely than not.’” *Id.* at 263 (cleaned up) (quoting *C.M. v. J.M.*, 258 Md. App. 40, 56-57 (2023)). When a petitioner meets that burden, the court “‘may issue a protective

order tailored to fit particular needs that the petitioner has demonstrated are necessary to provide relief from abuse.” *Piper v. Layman*, 125 Md. App. 745, 754 (1999) (quoting *Ricker v. Ricker*, 114 Md. App. 583, 586 (1997)).

When reviewing the issuance of a final protective order, we “accept the circuit court’s findings of facts, unless they are clearly erroneous.” *Hripunovs*, 263 Md. App. at 261 (quoting *C.M.*, 258 Md. App. at 58). “If there is any competent evidence to support the factual findings [of the trial court], those findings cannot be held to be clearly erroneous.” *Cherry v. Mayor & City Council of Balt. City*, 475 Md. 565, 594 (2021) (quoting *Della Ratta v. Dyas*, 414 Md. 556, 565 (2010)). We “consider evidence produced at the trial in a light most favorable to the prevailing party[.]” *C.M.*, 258 Md. App. at 58 (quoting *Friedman v. Hannan*, 412 Md. 328, 335 (2010)). And we “defer to the trial court’s credibility determinations because it ‘has the opportunity to gauge and observe the witnesses’ behavior and testimony during the trial.’” *Id.* (quoting *Barton v. Hirshberg*, 137 Md. App. 1, 21 (2001)). But, “[a]s to the circuit court’s ultimate conclusion, ‘we must make our own independent appraisal by reviewing the law and applying it to the facts of the case.’” *Id.* (quoting *Piper*, 125 Md. App. at 754).

DISCUSSION

Although we reduced the three questions presented by Father in his brief to whether the circuit court erred in granting the FPO, we will, for the purpose of our analysis, address the three questions advanced by Father in his brief. Before doing so, we note, as did the trial court, that this is a close case. To a great extent, it is directed at whether Mother’s motivation in filing the petition to protect D or to gain an advantage in a divorce action.

Father’s appellate argument is directed primarily at D being the abuser and the court’s weighing of the evidence.

For example, Father takes issue with the court’s findings by asserting that the court “ignored the timeline”; “did not even touch upon the allegations and concerns”; and “gave absolutely no weight to [Father’s] testimony[.]” Father also criticizes the court for not expressly addressing all of the evidence and arguments that he offered during the hearing. But, as our Supreme Court has explained, the court was not required to do so:

It is a well-established principle that “[t]rial judges are presumed to know the law and to apply it properly.” *State v. Chaney*, 375 Md. 168, 179 (2003) (quoting *Ball v. State*, 347 Md. 156, 206 (1997), *cert. denied*, 522 U.S. 1082 (1998))[.] It is equally well-settled that there is a “strong presumption that judges properly perform their duties,” and that “trial judges are not obliged to spell out in words every thought and step of logic.” *Beales v. State*, 329 Md. 263, 273 (1993)[.] Thus, “[t]he trial judge need not articulate each item or piece of evidence she or he has considered in reaching a decision. . . . The fact that the court did not catalog each factor and all the evidence which related to each factor does not require reversal.” *John O. v. Jane O.*, 90 Md. App. 406, 429 (1992); *see also Cobrand v. Adventist Healthcare, Inc.*, 149 Md. App. 431, 445 (2003) (holding that when a matter is reserved to the sound discretion of the trial court, “a trial judge’s failure to state each and every consideration or factor in a particular applicable standard does not, absent more, constitute an abuse of discretion, so long as the record supports a reasonable conclusion that appropriate factors were taken into account in the exercise of discretion.”) (internal citations omitted).

Aventis Pasteur, Inc. v. Skevofilax, 396 Md. 405, 426-27 (2007) (some internal citations omitted). That said, we will address Father’s arguments by looking at the evidence and the arguments before the court in the context of a specific finding.

I.

Father first contends the court erred by “ignor[ing] the timeline” of the disclosures of abuse “as well as to whom the disclosures were made.” Father argues that he, unlike

Mother, was unaware of the allegations and that Mother “was desperate to strike first against [Father] and protect her son.” As we understand it, he is arguing that Mother had a motive to lie and/or fabricate the allegations, but the court did not consider this possible motive.

The record does not support an ignoring of the timeline. The court began by considering A’s and B’s September 23-24, 2024 reports of sexual abuse by Father. The court also discussed when and what Mother found out about A’s earlier disclosure regarding D to Ms. McNeil that was not conveyed to Mother for several months after it was made. Noting that the delayed disclosure from Ms. McNeil was “perplexing,” the court indicated some uncertainty whether A or B first reported the allegations against Father, but, under a preponderance of the evidence standard, the court was satisfied that the abuse had occurred.

The court’s findings were supported by the evidence. Mother testified that she first learned that Father was inappropriately touching A and B around September 23-25, 2024. Details with respect to these allegations were included in the Virginia petition and the petition filed in this case.

There was also evidence from both Mother and Ms. McNeil that Ms. McNeil alerted Mother that D was responsible for any sexual assaults around Labor Day weekend. Notably, Ms. McNeil testified that she did not tell Father about A’s allegations involving D until around September 23, 2024. And Father, in his testimony, confirmed that was when he first learned of the allegations A made against D. Father further testified that he was aware that D had been “harming” the girls and that D had a reputation as being a “bully”

and “dangerous” but he was not aware of any sexual abuse. But he was not aware that he was being accused of sexual abuse until he was served with the protective order in this case. In addition to the testimonial evidence regarding the timeline, Father’s counsel indicated that Mother had been informed of the allegations related to D by Ms. McNeil but she had chosen not to tell Father.

We are persuaded that the court was fully aware of the competing disclosure timelines of the alleged sexual abuse and their relation to the timing of the allegations against Father and Mother’s alleged motive to fabricate those allegations. Based on the evidence before it, we hold that the court was not clearly erroneous in finding, under a preponderance of the evidence, that Mother’s motivation for seeking for a protective order arose out of the disclosure of A and B to her and its conclusion that was the abuser.

II.

Father next asserts the court did not consider all of the evidence that suggested that D was the one who sexually abused A and B. He argues that the court ignored “whether or not the allegations against the minor children’s older brother [D] were true and that it was [D], not [Father], that was abusing [A and B].”⁹ Contrary to that assertion, the court stated, “the argument from [Father’s] side is that the problem in this house is this other child, the son, [D].” In addition, the court stated that Mother had been told by Ms. McNeil to “watch [D].” Clearly, the court was presented with evidence that D had sexually abused A and B. Mother agreed on cross-examination that Ms. McNeil had informed her that A had

⁹ The petition alleged Father was the abuser, and, thus, the question to be answered by the court was whether the allegations against Father were true.

disclosed being sexually abused by D. Mother was also asked whether the petition she filed against Father was to protect D. She answered, “No. I’m trying to protect my children and all other children from pedophiles is what I’m trying to do[.]”

The court also heard from Ms. McNeil, who testified that A told her in May 2024 and again around Labor Day that D “touched me down there,” that she told this to Mother. There was also testimony from both Ms. McNeil and Father that she told Father about D’s alleged conduct on or around September 23, 2024. According to Father, he was advised by a social worker that D was “dangerous” and should be separated from A and B.

We see nothing in the record to suggest that the court did not consider the evidence and weigh it before it in arriving at its decision. In addition to this evidence, the overall theory of Father’s counsel’s argument was that D was the abuser of A and B, not Father. That the abuse was committed by D rested on A’s alleged disclosure to Ms. McNeil, which she communicated to Mother. That Father was the abuser rested on A’s and B’s alleged disclosures to Mother. In the court’s view, it was the alleged disclosures to Mother that prompted the petition. That conclusion essentially rests on the court’s credibility assessment. That the court reached a different result than Father argued for does not establish a failure to consider the evidence related to D or render its findings clearly erroneous.

III.

Father argues the court erred in weighing the evidence that he might lose his security clearance if he was found to have abused the children. This argument centers on Father being the one with the most to lose in this litigation because he could lose his security

clearance and, thus, his income. In addition, he asserts that he also risked self-incrimination based on possible criminal charges. For all those reasons, he had “much more to lose” from “a finding of abuse than [Mother].”

The court saw the loss of the security clearance as favoring Mother on the issue of her motivation in filing the petition. It explained that, if Mother’s motivation for filing the petition was to better her position in an anticipated divorce action, risking the loss of Father’s security clearance and employment “would seem to go to the opposite direction[.]” In the court’s view, the filing of the petition lent “more credence” to Mother because if Mother’s motivation for its filing was the divorce action, Father’s loss of the security clearance and his employment “would seem to go to the opposite direction.”

We understand this to refer to Mother’s rebuttal response to Father’s “most to lose” argument. She stated that Father was trying to “protect his way of making money.” She went on to say, “I understand that I only receive money through [Father]. So in what benefit would it be for me to destroy my whole life for this?” Prior to that, Mother had testified that Father “would always threaten to divorce me because he knew I completely relied on him.”

The issue is whether the court should have given more weight to Father’s testimony and argument regarding his risk of losing his security clearance and employment. Father repeatedly made it clear that his security clearance was in jeopardy. He testified, “when you have a security clearance, everybody you have to report. Like everything. Because everything affects your – like, they know everything.” In addition, the court heard argument from Father’s counsel that a protective order could impact Father’s employment.

To be sure, the potential loss of the security clearance and employment impacted both parties. That the court found in weighing that evidence that it “lent more credence” to Mother on the issue of her motivation in filing the petition does not mean that it gave no weight to Father’s evidence or that the finding was clearly erroneous.

In sum, weighing the evidence, determining the facts, and drawing from those facts reasonable inferences in this clearly close case involved a credibility assessment by the court that we will not second-guess. *See Hripunovs*, 263 Md. App. at 261 (“It is not our role, as an appellate court, to second-guess the trial judge’s assessment of a witness’s credibility.” (cleaned up)). Another fact finder may have weighed the evidence differently. That said, our independent appraisal of the law as applied to the court’s factual findings persuades us that the court’s conclusion that Father had abused the children was supported by a preponderance of the evidence and the court did not err in granting the protective order.

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