

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2197

September Term, 2015

DONNA JEAN IVERY

v.

GARY LENO WASHINGTON

Eyler, Deborah, S.,
Leahy,
Battaglia, Lynne A.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Battaglia, J.

Filed: January 3, 2017

*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.

Donna Jean Ivery, Appellant, attempts to appeal from the denial of a Motion for Reconsideration of an October 20, 2015, oral ruling of the Circuit Court for Cecil County that continued a hearing and directed her and her former husband, Gary Leno Washington, Appellee, to obtain information about the appropriate language to include in a qualified domestic relations order dividing Appellee’s Exelon Corporation Cash Balance Pension Plan, pursuant to the parties’ Marital Settlement Agreement. The notice of appeal was filed within 30 days of the denial order entered on November 17, 2015.

Pursuant to Maryland Rule 8-603(c) (1988), Appellee included a motion to dismiss the above-captioned appeal in his brief. In his motion, Appellee argues that there is no appealable judgment. We agree.

In order to constitute a final judgment, a ruling of the court must have various attributes, among them that the judgment must be intended by the court to be an unqualified, final disposition of the matter in controversy and it must adjudicate all claims against all parties. *Rohrbeck v. Rohrbeck*, 318 Md. 28, 41 (1989). The Circuit Court’s ruling in the instant case was not an unqualified final disposition of the matter in controversy and did not adjudicate any claims. The denial of the Motion for Reconsideration entered by the Circuit Court, thus, fails to satisfy the various requirements of a final judgment articulated in *Rohrbeck*.

The Judge’s decision also is not an appealable interlocutory order under Section 12-303 of the Courts and Judicial Proceedings Article of the Maryland Code (1973, 2013 Repl. Vol.), because none of its exceptions applies to this case. Further, the requirements

of the collateral order doctrine have not been met. *Dawkins v. Baltimore City Police Department*, 376 Md. 53, 58–59 (2003).

Accordingly, Appellee’s Motion to Dismiss Appeal is granted.

**MOTION TO DISMISS APPEAL
GRANTED. COSTS TO BE PAID
BY APPELLANT.**