

Circuit Court for Baltimore City
Case No.: C-24-CV-24-000487

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2252

September Term, 2024

IN THE MATTER OF
ANNETTE CUMMINGS

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

JJ.

PER CURIAM

Filed: September 19, 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.

Appellant Annette Cummings filed a grievance with the Maryland Department of Health alleging discrimination by the State in the collection of a debt. The dispute eventually came before the Office of Administrative Hearings (“OAH”). Then, at a hearing on May 23, 2024, Cummings withdrew her appeal. Accordingly, OAH dismissed the case without reaching any decision or taking any action. Two days later, Cummings moved to reopen the case. Before OAH ruled on the motion, however, Cummings petitioned for judicial review in the Circuit Court for Baltimore City, which the State moved to dismiss. OAH later determined that it did not have any basis or authority to reopen Cummings’s withdrawn grievance. Finally, on November 21, 2024, the circuit court granted the State’s motion and dismissed Cummings’s petition because there was no decision by OAH for the court to review. This appeal followed.

We review the granting of a motion to dismiss for legal correctness. *Harris v. McKenzie*, 241 Md. App. 672, 678 (2019). Section 10-222(a)(1) of the State Government Article provides that “a party who is aggrieved by the final decision in a contested case is entitled to judicial review of the decision[.]” Md. Code Ann., State Gov’t § 10-222(a)(1). Here, OAH did not reach any decision in Cummings’s case, let alone a final one, because she withdrew her appeal before any action was taken. What’s more, Cummings was not “aggrieved” by being permitted to withdraw her appeal. As a result, she was not entitled to judicial review. *Cf. Mugford v. Mayor and City Council of Balt.*, 185 Md. 266, 269 (1945) (“It needs no authorities to support the proposition that one cannot appeal from a decree

wherein the relief he prays for has been granted.”). The circuit court, therefore, did not err in dismissing Cummings’s petition.¹

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

¹ Also pending before the Court are Cummings’s “Finalized Combined Counterclaim – Court Document” and “Motion to Filed Addendum to Appellant’s Combined Counterclaim for Damages and Violations.” Given our resolution here, to the extent they seek relief, the motions are denied.