

Circuit Court for Montgomery County
Case No. 151449FL

UNREPORTED*
IN THE APPELLATE COURT
OF MARYLAND

No. 2342

September Term, 2025

JERMAINE C. TYLER

v.

NATASHA CHARISSE HEWLETT

Leahy,
Ripken,
Albright,

JJ.

Opinion by Leahy, J.

Filed: July 22, 2026

* This is an unreported opinion. The 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 flows from a divorce proceeding in the Circuit Court for Montgomery County between Jermaine C. Tyler, appellant (“Father”), and Natasha Charisse Hewlett, appellee (“Mother”). Father and Mother share one minor child (“Child”).

More than a year after this court vacated two judgments against Father in two separate appeals (each time remanding the case back to the circuit court for further consideration) Father moved to vacate those same judgments with the circuit court on November 3, 2025. The circuit court, having already complied with this Court’s orders upon remand, denied Father’s motion. Father appeals from the denial of his motion. In his informal brief, Father presents four issues for our review, assigning error to the process and manner in which the circuit court denied his motion.¹

¹ Father frames the issues as follows:

1. Did the circuit court reversibly err by denying Appellant’s Motion to Vacate Judgments in a one-word order after Judge Lease had already stated on the record that the \$1,608.39 and \$481.22 judgments were vacated pursuant to appellate action?
2. Did the circuit court deprive Appellant of meaningful appellate review by denying the motion without findings or reasoning explaining how the denial could be reconciled with the prior vacatur and the court’s own statements?
3. Should this appeal be considered on an accurate procedural record where Appellant filed a Motion to Correct and Supplement the Record seeking to reflect that Judge Bibi Berry, not a magistrate, presided over the October 7, 2022 hearing, and seeking supplementation concerning the July 2025 worksheet issue?
4. Where the record reflects repeated reviewability and record-conformity problems concerning the Berry-based judgments and later proceedings before Judge Lease, should the Court reverse or remand to preserve confidence in the fairness, accuracy, and transparency of the judicial process?

Because the order upon which Father’s appeal is based is not a final judgment and is not subject to any applicable exceptions to the final judgment rule, we dismiss Father’s appeal for lack of jurisdiction.

BACKGROUND

Although the divorce proceeding in the circuit court originates in 2018, the facts relevant to the present appeal begin with this Court’s opinion in 2023, in which we considered, among other issues, the parties’ dispute over medical expenses for Child. *Tyler I*, 2023 WL 3943836 at *7-9. We concluded that Mother was not entitled to reimbursement for Father’s half of the Child’s dental expenses. *Id.* at *8-9. We instructed the circuit court to issue a new judgment in favor of Mother in the adjusted amount of \$3,728.00 for the remaining expenses. *Id.* at *9. The circuit court complied and filed an order to enter judgment on July 10, 2023.

On August 21, 2024, this Court issued an opinion in *Tyler II*, wherein we considered a child support order that “ordered Father to pay \$554 per month in child support, and entered judgments for a child support arrearage in the amount of \$1,608.39 ... and for reimbursement of dental expenses in the amount of \$481.22.” *Tyler II*, 2024 WL 3886222 at *6 (internal marks omitted). We held that the “evidentiary record [did] not support the health insurance expense that the [circuit] court used to calculate the Father’s child support obligation,” so we “vacate[d] the Child Support Order and remand[ed] for further proceedings to clarify and correct the support calculation to accurately account for each

parent’s health insurance expenses.” *Id.* at *5-6. The child support order we vacated included a child support arrearage award of \$1,608.39. *Id.* at *7-9.

After our opinion in *Tyler II*, Mother filed a motion for contempt in late 2024 based on, among other things, Father’s failure to pay court-issued judgments. Mother sought payment for several past due judgments, including the vacated arrearage order for child support in the amount of \$1,608.39 and the dental expense payment of \$481.22. Father did not respond to the motion.

In June 2025, the circuit court held a two-day hearing to address several pending motions including Mother’s motion for contempt. In its consideration of the motion for contempt, the court acknowledged that the judgments for \$1,608.39 and \$481.22² were vacated by this Court, and Mother was “not entitled” to those judgments. Later in the hearing, Mother testified that she understood “some [judgments] were definitely vacated” by this Court. At the close of the hearing, the court reserved on ruling and indicated that it needed more evidence to address the arrearage issue.

On July 16, 2025, the circuit court issued an order denying Mother’s motion for contempt. Two weeks later, the court issued a Memorandum Opinion and Order “on remand from the Maryland Appellate Court” in *Tyler II*. The circuit court took additional evidence “regarding income [and] including health insurance expenses[,]” and recalculated the amount of child support due from Father to Mother. The court then assessed the “total

² The court misspoke on the record, stating that the dental expenses amount totaled \$481.41.

arrearage for the 36-month period between August 2022 and July 2025 [a]s \$10,116.00.” The court acknowledged, however, that Father may have made additional child support payments, so the court instructed the parties to “provide ... an account of any child support payments made by [Father] for the” relevant period. Once the court received the accounting, the court would enter an arrearage award. The circuit court has since entered such an arrearage award, applying our reasoning in *Tyler II*. See Judgment Order, *Tyler v. Hewlett*, Case No. 151449FL (filed June 24, 2026).

On November 3, 2025, Father moved to vacate the dental expense judgment of \$481.22 and the arrearage judgment of \$1,608.39, which we had already vacated, and which the circuit court had already said were vacated. Father claimed that “[d]espite the appellate vacatur, the vacated arrearage and reimbursement judgments remain active in the docket and [were] still being enforced.” The circuit court denied Father’s motion to vacate the judgments. Father appealed.

Parties’ Contentions

Father contends that the circuit court committed reversible error in denying his motion to vacate judgments. Father states that at the June 2025 hearing, the court acknowledged on the record that the judgments in question were vacated by this Court’s opinion in *Tyler II*. “Despite this acknowledgement,” Father asserts, the court denied Father’s motion to vacate without further explanation. Father argues that this “silent denial is irreconcilable with the court’s earlier statement” at the hearing. Mother did not file an appellate brief.

Analysis

In Maryland, the right to appellate review is provided in the Maryland Code (1973, 2020 Repl. Vol., 2025 Supp.) §§ 12-301 *et seq.* of the Courts and Judicial Proceedings Article (“CJP”). Section 12-301 states, in relevant part, that “[t]he right of appeal exists from a *final judgment* entered by a court in the exercise of original, special, limited, statutory jurisdiction, unless in a particular case the right of appeal is expressly denied by law.” (Emphasis added). “The general rule as to appeals is that, subject to ... limited exceptions, a party may appeal only from a final judgment.” *Nnoli v. Nnoli*, 389 Md. 315, 323 (2005). A judgment is final if it “disposes of all claims against all parties and concludes the case.” *Miller & Smith at Quercus, LLC v. Casey PMN, LLC*, 412 Md. 230, 241 (2010).

Section 12-303 provides a limited exception to the final judgment rule in civil cases, allowing parties to appeal from specified non-final orders. CJP § 12–303. Parties may appeal, for example, from orders “[f]or the sale, conveyance, or delivery of real or personal property or the payment of money, or the refusal to rescind or discharge such an order[,]” as well as orders “[d]epriving a parent, grandparent, or natural guardian of the care and custody of his child, or changing the terms of such an order.” CJP § 12-303(3)(v), (x). In addition to the exceptions codified in CJP § 12–303, Maryland appellate courts have “adopted the so-called ‘collateral order doctrine,’ which treats as final and appealable a limited class of orders which do not terminate litigation in the trial court.” *Balt. City Dep’t of Soc. Servs. v. Stein*, 328 Md. 1, 10 (1992) (citation omitted). A “collateral order” must “meet four requirements” to be appealable: it must “conclusively determine the disputed

question, ... resolve an important issue,’ ... be ‘completely separate from the merits of the action,’ and ‘be effectively unreviewable on appeal from a final judgment.’” *The Redemptorists v. Coulthard Servs., Inc.*, 145 Md. App. 116, 159–60 (2002) (quoting *Peat, Marwick, Mitchell & Co. v. L.A. Rams Football Co.*, 284 Md. 86, 92 (1978)).

As explained above, Father appeals the denial of his motion to vacate the arrears and dental expense judgments that were already vacated by our opinions in *Tyler I* and *Tyler II*. The circuit court’s order denying Father’s motion to vacate judgments did not dispose of *any* claims before the circuit court.³ The order to deny did not decide any claims on their merits, nor did it compel payment of any obligation. The circuit court’s denial of the motion to vacate does not affect Father’s rights as a parent, change Father’s access to Child, or alter the legal rights between Mother and Father.

In sum, the circuit court’s order denying his motion to vacate judgments is not a final order from which Father can appeal to this Court, nor is it an interlocutory order subject to any exceptions to the final order requirement under CJP § 12–303, nor does it meet the first prong of the collateral order doctrine as it does not conclusively determine a disputed question or resolve any issue.

We “will dismiss an appeal *sua sponte* when [we] notice[] that appellate jurisdiction is lacking.” *Miller & Smith at Quercus, LLC*, 412 Md. at 240 (quoting *Smith v. Taylor*,

³ Father’s claim that the circuit court did not vacate the judgments would fail in any case because the prior appeals in *Tyler I* and *Tyler II*, along with the ensuing orders issued by the circuit court, operated to vacate the judgments long before Father filed his motion.

285 Md. 143 (1979)); *Gruber v. Gruber*, 369 Md. 540, 546 (2002). Accordingly, we shall dismiss Father’s appeal for lack jurisdiction.⁴

**APPEAL DISMISSED. COSTS TO BE PAID
BY APPELLANT.**

⁴ Because we have no jurisdiction to address this appeal, Father’s pending Motion for Judicial Notice filed with this Court is denied. See Motion for Judicial Notice, *Tyler v. Hewlett*, Case No. ACM-REG-2342-2025 (filed July 16, 2026).