

Circuit Court for Montgomery County
Case No. C-15-CV-24-005242

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 2484

September Term, 2024

IN THE MATTER OF DEBORAH
AKINYELE

Nazarian,
Arthur,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 25, 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.

In 2023, the Maryland Department of Labor, Division of Labor and Industry, appellee, ordered Deborah Akinyele, appellant, to pay unpaid wages to her former employee. Appellant requested a hearing before the Office of Administrative Hearings. Following that hearing, an Administrative Law Judge issued a decision in the Department’s favor. Appellant filed a timely petition for judicial review of that decision in the Circuit Court for Montgomery County on September 27, 2024. On January 27, 2025, the circuit court dismissed, *sua sponte*, her petition on the grounds that she had “failed to file a Memorandum in accordance with Maryland Rule 7-207(a).” This appeal followed.

On appeal, appellant raises a single issue: whether the court erred in dismissing her petition for judicial review. Appellee concedes that the court erred in dismissing the petition. We agree, and shall reverse the judgment of the circuit court.

Maryland Rule 7-207(a) provides that a petitioner shall file a memorandum “[w]ithin 30 days after the clerk sends notice of the filing of the [administrative] record[.]” At the time the court dismissed appellant’s petition for judicial review in this case, the clerk had not sent notice of the filing of the record because the administrative record had not been filed. Consequently, the court erred in dismissing appellant’s petition for judicial review.

**JUDGMENT OF THE CIRCUIT COURT FOR
MONTGOMERY COUNTY REVERSED. CASE
REMANDED FOR FURTHER PROCEEDINGS
CONSISTENT WITH THIS OPINION. COSTS
TO BE PAID BY MONTGOMERY COUNTY.**