

Circuit Court for Prince George's County  
Case No. CAL18-24686-94

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 2958

September Term, 2018

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CASH WILLIAMS

v.

BOARD OF EDUCATION OF PRINCE  
GEORGE'S COUNTY, MARYLAND

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Kehoe,  
Nazarian,  
Gould,

JJ.

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PER CURIAM

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Filed: April 13, 2020

\*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.

Cash Williams, appellant, appeals from an order, issued by the Circuit Court for Prince George’s County, dismissing her appeal from the Worker’s Compensation Commission (the Commission). Her sole contention on appeal is that the court abused its discretion in denying her motion for an extension of time to respond to the motion to dismiss filed by the Board of Education of Prince George’s County, appellee (the Board). For the reasons that follow, we shall affirm the judgment of the circuit court.

Ms. Williams filed eight separate worker’s compensation claims with the Commission. She and the Board ultimately entered into stipulations of permanent partial disability as to each claim and the Commission approved those settlements. Alleging that her attorney had agreed to the settlements without her consent and then deceived her into signing the settlement agreements, Ms. Williams filed a “Notice of Appeal” in the circuit court, seeking judicial review of all her claims. The Board filed a motion to dismiss, contending that Ms. Williams had failed to comply with Maryland Rule 702; that she had failed to join a necessary party to the litigation; and that she had failed to state a claim from which relief could be granted because there had not been an adversarial proceeding before the Commission. The circuit court granted the motion to dismiss without prejudice on August 17, 2018 and closed the case statistically.

Between the time Ms. Williams filed her first appeal to the circuit court and the time the court dismissed that appeal, Ms. Williams filed new notices of appeal in each of her cases. The Board re-filed its motion to dismiss on August 27, 2018, asking the circuit court to dismiss those appeals for the same reasons. In response, Ms. Williams filed a “Motion for this Court to Deny Employer/Respondent’s Omnibus Preliminary Motion [to

Dismiss] and/or Grant Extension of Time” on September 10, 2018. That motion did not address the merits of the Board’s motion to dismiss but requested the court to deny the motion and grant her an extension of 45 days to seek a new attorney to handle her case. On October 2, 2018, the court issued an order granting the motion to dismiss without prejudice. This appeal followed.

Ms. Williams’s sole claim on appeal is that the court abused its discretion in denying her motion for extension of time to respond to the motion to dismiss because she was “unable to respond” to the motion in a timely manner “due to a clerical error.” Specifically, she claims that the motion “listed the incorrect parties” because her “lawyers’ names were placed on [the motion].” However, neither of the Board’s motions to dismiss were served on Ms. Williams’s prior counsel. Rather, the certificates of service indicate that they were served on Ms. Williams at her address of record. Moreover, in her motion for extension of time, Ms. Williams acknowledged that she received the second motion to dismiss the same day it was filed, which was more than one month before the court dismissed her appeal. Consequently, we are not persuaded that the court abused its discretion in denying her motion for extension of time based on the existence of a clerical error.

In any event, Ms. Cash has not demonstrated how she was harmed by her inability to file an additional response to the motion to dismiss. It is well-settled that we “will not reverse a lower court’s judgment for harmless error: the complaining party must show *prejudice* as well as error.” *See Harris v. David S. Harris, P.A.*, 310 Md. 310, 319 (1987) (*italics in original*). In her brief, Ms. Cash does not address the merits of the Board’s motion to dismiss. Moreover, she does not indicate what arguments she would have raised

in her response if her request for an extension of time had been granted, or how those arguments might have altered the court’s decision to dismiss her case. Consequently, we shall affirm the judgment of the circuit court.

**JUDGMENT OF THE CIRCUIT  
COURT FOR PRINCE GEORGE’S  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**