

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 19-2249

BRANDON WILLIAMS,**Plaintiff - Appellant,****v.****STATE OF MARYLAND, Office of the Governor; BALTIMORE COUNTY
OFFICE OF CHILD SUPPORT ENFORCEMENT,****Defendants - Appellees.**

**Appeal from the United States District Court for the District of Maryland, at Baltimore.
Stephanie A. Gallagher, District Judge. (1:19-cv-01938-SAG)**

Submitted: January 23, 2020**Decided: January 28, 2020**

Before WYNN, DIAZ, and RICHARDSON, Circuit Judges.

Affirmed by unpublished per curiam opinion.

**Brandon Williams, Appellant Pro Se. Karen Hess Rohrbaugh, Assistant Attorney General,
OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for
Appellees.**

Unpublished opinions are not binding precedent in this circuit.**APPENDIX A**

PER CURIAM:

Brandon Williams appeals the district court's order dismissing his complaint raising several challenges to the garnishment of his wages for enforcement of a Maryland child support order. On appeal, we confine our review to the issues raised in the Appellant's brief. *See* 4th Cir. R. 34(b). Because Williams' informal brief does not challenge the bases for the district court's disposition, Williams has forfeited appellate review of the court's order. *See Jackson v. Lightsey*, 775 F.3d 170, 177 (4th Cir. 2014) ("The informal brief is an important document; under Fourth Circuit rules, our review is limited to issues preserved in that brief."). Accordingly, we affirm the district court's judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

FILED: January 28, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2249
(1:19-cv-01938-SAG)

BRANDON WILLIAMS

Plaintiff - Appellant

v.

STATE OF MARYLAND, Office of the Governor; BALTIMORE COUNTY
OFFICE OF CHILD SUPPORT ENFORCEMENT

Defendants - Appellees

JUDGMENT

In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

APPENDIX B

FILED: February 19, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2249
(1:19-cv-01938-SAG)

BRANDON WILLIAMS

Plaintiff - Appellant

v.

STATE OF MARYLAND, Office of the Governor; BALTIMORE COUNTY
OFFICE OF CHILD SUPPORT ENFORCEMENT

Defendants - Appellees

M A N D A T E

The judgment of this court, entered January 28, 2020, takes effect today.

This constitutes the formal mandate of this court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

/s/Patricia S. Connor, Clerk

APPENDIX C

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BRANDON WILLIAMS

Plaintiff,

v.

**STATE OF MARYLAND OFFICE
OF THE GOVERNOR, *et al.***

Defendants.

Case No. SAG-19-1938

* * * * *

MEMORANDUM OPINION

I have reviewed the Motion to Dismiss Complaint filed by Defendants State of Maryland Office of the Governor and the Baltimore County Office of Child Support (collectively, “Defendants”), ECF 7, along with the Petition for Judgment filed by Plaintiff Brandon Williams, who appears *pro se*. ECF 9. No hearing is necessary. *See* Loc. R. 105.6 (D. Md. 2018). For the reasons addressed below, Defendants’ Motion must be granted, and Mr. Williams’s Petition must be denied.

Mr. Williams’s Complaint seeks money damages in the amount of \$100,000,000, along with “dismissal and discharge of all support orders.” ECF 1 at 4-5. Essentially, his Complaint alleges constitutional and statutory violations by the Defendant state agencies, pertaining to their collection activities to enforce a child support order from a Maryland court. *Id.* at 3-4.

The Complaint must be dismissed for three distinct reasons, each of which are cited in the Defendants’ Motion. ECF 7-1. First, the Eleventh Amendment of the United States Constitution bars suits seeking money damages in federal court against state agencies, without a valid

APPENDIX D

abrogation or waiver of sovereign immunity. *See Bd. of Trs. of Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001) (“The ultimate guarantee of the Eleventh Amendment is that nonconsenting States may not be sued by private individuals in Federal Court.”). Plaintiff’s lawsuit, against two state agencies, is a suit against the State of Maryland, as the real party in interest. *See, e.g., Will v. Mich. Dep’t of State Police*, 491 U.S. 58, 71 (1989) (stating that a suit against an official’s office “is no different from a suit against the State itself”). The State of Maryland has not waived its sovereign immunity with respect to Plaintiff’s claims, and accordingly his claims for monetary damages are barred by the Eleventh Amendment.¹

Second, Mr. Williams’s claims are also barred by Maryland’s three-year statute of limitations. *See Bailey-El v. Hous. Auth. of Balt. City*, 686 F. App’x 228, 229 (4th Cir. 2017) (per curiam) (citing Md. Code An., Cts. & Jud. Proc. § 5-101 (LexisNexis 2013)). According to Mr. Williams’s Complaint, he knew of the garnishment of his wages to pay his child support obligations for well more than three years. ECF 1 at 3. In fact, Mr. Williams specifically protested garnishment actions in 2011 and 2014. *Id.*; ECF 1-1; ECF 1-5. Nevertheless, Mr. Williams did not file this action until 2019, well outside the three-year window.

Third, this Court lacks subject matter jurisdiction to grant Mr. Williams’s request to invalidate his Maryland child custody order, because the alleged injury to him resulted from a state court judgment and cannot be challenged in federal court. *See, e.g., Exxon-Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005) (noting that federal courts lack jurisdiction over

¹Mr. Williams argues, without citation to any case law, that “NO ONE is immune once they violate constitutional law.” ECF 9 at 2. The governing precedent does not support that statement. Although there is a narrow exception to Eleventh Amendment immunity permitting a State official to be sued for prospective injunctive relief to address an ongoing constitutional violation, *see Ex parte Young*, 209 U.S. 123 (1908), Mr. Williams does not seek prospective injunctive relief in this case. He has only asked for money damages and dismissal of state court orders, and those two forms of relief are unavailable for the reasons addressed herein.

cases “brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments”); *see also Shooting Point, L.L.C. v. Cumming*, 368 F.3d 379, 383 (4th Cir. 2004) (noting a lack of jurisdiction where “if in order to grant the federal plaintiff the relief sought, the federal court must determine that the state court judgment was erroneously entered or must take action that would render the judgment ineffectual” (quoting *Jordahl v. Democratic Party*, 122 F.3d 192, 199 (4th Cir. 1997))). Given that Mr. Williams expressly seeks “dismissal and discharge” of the support orders entered in state court, this Court lacks jurisdiction to address his claims. ECF 1 at 5.

For the reasons set forth above, Defendants’ Motion to Dismiss, ECF 7, is granted and Plaintiff’s Petition for Judgment, ECF 9, is denied. A separate Order follows.

Dated: October 24, 2019

/s/
Stephanie A. Gallagher
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

BRANDON WILLIAMS,

*

Plaintiff,

*

Civil Action No.:

v.

*

1:19-cv-01938-GLR

STATE OF MARYLAND, et al.,

*

Defendants.

*

* * * * *

ORDER

Upon consideration of the Motion to Dismiss Complaint filed by Defendants State of Maryland Office of the Governor and the Baltimore County Office of Child Support Enforcement, and any opposition thereto, it is this _____ day of _____, 2019, by the United States District Court for the District of Maryland,

ORDERED, that the Motion to Dismiss Complaint is **GRANTED WITH PREJUDICE** as to the above-named Defendants.

George Levi Russell, III.
United States District Judge

APPENDIX E