

Court of Special Appeals Default Judgment Hearing on 12/9/11 & Opinion No 01227, September 2009 on 1/10/11

Rev. 7/8/14

12/09/10 The Court of Special Appeals hearing on Bollinger's default ruling.

Judges: Matricciani, Hotten, James Kenney, III – Matricciani wrote opinion

Lies, Carney told the Court of Special Appeals in the hearing – Unfortunately I don't have a transcript however I'm sure one can be obtained:

Mr. Carney claimed:

-He was doing a friend a favor, referring to Judy Ensor, now Judge Ensor. He did a friend a favor taking this case. I am not aware of any discussion between Mr. Carney or now Judge Judy Ensor. Neither Carney's bills nor Judy Ensor's bills show they communicated in any way, at any time. There's no documentation to show he communicated with Bruce Covahey either.

-Mr. Carney said I fired him when in fact I told him we had to go forward. I have two letters from Carney saying he will no longer represent me. One on 2/26/07 and another on 2/27/07, he then filed to withdraw his appearance on 4/11/07. Mr. Carney terminated me and left me hanging after he made a mess of my case by not presenting information and now I can't use on the appeal.

-Mr. Carney called me Petulant. Here's a supposedly grown man calling me names in a Court of Special Appeals Hearing!

01/10/11 The Court of Special Appeals hearing on Bollinger's default. Bollinger Unreported Opinion appeal No 01227 September Term 2009, Filed Court of appeals ruling. - Matricciani wrote opinion

Page 7 footnote 8 the trial court erred in entering a default judgment on the fees without a hearing. Because of our holding that the "denial of the motion to vacate was an abuse of discretion," and that the case should be remanded for further proceedings on the merits.

Page 11 at the top, here, appellant has supplied sufficient evidence to show a "Potentially Meritorious defense to appellee's claims."

Page 12 The affidavits and other statements proffered by appellant in this case are more than mere conclusory allegations.

Page 13 We believe the appellant supplied sufficient support for her motion to vacate.... "And in showing that a potentially meritorious defense to appellee's claim exists."

Court of Special Appeals Default Judgment Hearing on 12/9/11 & Opinion No 01227, September 2009 on 1/10/11

For these reasons, “we hold that the circuit court abused its discretion in denying appellant’s motion to vacate the order of default judgment,” and we reverse and remand to the court for further proceedings.

Costs to be paid by Appellee’s.

01/10/11 Bollinger Unreported Opinion appeal No 01227 September Term 2009, Filed. Only took one month to decide!

01/10/11 Opinion says that Mr. Carney the Appellee has to pay me for the court costs.

02/25/11 Brice Dowell wrote a letter to Mr. Carney that he owes Ms. Senez \$1,136.15

03/04/11 Brice Dowell sent 2nd letter to Mr. Carney for the \$1,136.15 he owes me from 1/10/11.

03/17/11 Brice Dowell sent a letter to Tom McDonough on the two letters he sent to Mr. Carney for money he owes Ms. Senez from 1/10/11.

Tom McDonough advised Mr. Dowell that Mr. Carney doesn’t want to write Ms. Senez a check.

03/29/11 Brice Dowell sent a letter to Tom McDonough that if he doesn’t receive a check by 4/1/11 he will file a motion to hold Mr. Carney in contempt for violation of a Mandate.