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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-2788-20

BRITTANY MCHUGH and  
CINDY OZIEGBE,

Plaintiffs-Appellants,

v.

CARLOS ORTIZ,

Defendant-Respondent.

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Argued May 19, 2022 – Decided June 1, 2022

Before Judges Haas and Mawla.

On appeal from the Superior Court of New Jersey, Law  
Division, Hudson County, Docket No. DC-000129-20.

Brittany McHugh, appellant, argued the cause pro se.

Respondent has not filed a brief.

PER CURIAM

Plaintiffs Brittany McHugh and Cindy Oziegbe appeal from the Special  
Civil Part's March 10, 2021 order denying their motion to "reopen [the] case and

amend the complaint." Because the motion judge failed to make any meaningful findings of fact or conclusions of law in support of her decision, we reverse and remand for further proceedings.

In July 2019, plaintiffs brought their car to defendant Carlos Ortiz for transmission repairs. They made a down payment on the cost of the work and left the car at defendant's shop. Plaintiffs asserted defendant failed to make the repairs and refused to return the car to them. On December 30, 2019, plaintiffs filed a pro se complaint against defendant seeking the return of their car and detailing the monetary damages they allegedly suffered as the result of his actions. Defendant did not file an answer to the complaint.

On June 1, 2020, the motion judge granted plaintiffs' application for an order to show cause seeking temporary injunctive relief against defendant. Specifically, the judge found plaintiffs were entitled to possession of the car. Plaintiffs subsequently recovered the car and learned it was inoperable.

It is not clear whether the motion judge intended the June 1, 2020 order to conclude the case. As noted above, the order merely granted temporary injunctive relief and was not labeled a final order or judgment.

On December 5, 2020, plaintiffs filed a motion to "reopen" their case and amend their complaint. In their motion, they stated they wished to amend their

complaint to add defendant's limited liability company, Ortiz Transmission, LLC, as a defendant and to seek monetary damages for breach of contract and violations of the Consumer Fraud Act, N.J.S.A. 56:8-1 to -20. Defendant did not respond to the motion.

On March 10, 2021, the motion judge issued an order stating she had denied "[p]laintiff[s]' motion to reinstate and amend the complaint." The judge did not provide plaintiffs with an explanation of the reasons for this decision. Instead, the judge merely stated at the bottom of the order: "Plaintiff[s] [have] not provided any authority to the [c]ourt to support [their] motion." The judge did not make any findings of fact concerning plaintiffs' contentions, state what specific arguments she considered, or explain her conclusions of law in connection with this terse ruling.

On appeal, plaintiffs assert the motion judge erred by denying their motion. However, we are unable to review plaintiffs' contentions because the judge failed to make adequate findings of fact and conclusions of law.

No one – not the parties and not this court – can properly function or proceed without some understanding of why a judge has rendered a particular ruling. See Curtis v. Finneran, 83 N.J. 563, 569-70 (1980) (requiring trial court to clearly state its factual findings and correlate them with the relevant legal

conclusions). The failure to provide findings of fact and conclusions of law "constitutes a disservice to the litigants, the attorneys[,] and the appellate court." Ibid. (quoting Kenwood Assocs. v. Bd. of Adjustment of Englewood, 141 N.J. Super. 1, 4 (App. Div. 1976)).

Like every other case that comes before our courts, the resolution of this matter "required a careful analysis and the requisite findings to insure a just result." Bailey v. Bd. of Rev., 339 N.J. Super. 29, 33 (App. Div. 2001). Indeed, this case cried out for "a clear and concise demonstration that [plaintiffs] [had] been heard and their arguments considered." Ibid.

Because this did not occur, we reverse the March 10, 2021 order. We remand this matter with the direction that the trial court consider plaintiffs' contentions anew, and make detailed findings of fact and conclusions of law on all the issues raised.

Reversed and remanded. We do not retain jurisdiction.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION