

Circuit Court for Harford County
Case No. 12-C-14-003825

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 452

September Term, 2018

KEITH J. JEFFRIES

v.

CARRIE M. WARD, *et al.*

Fader, C.J.,
Zic,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: April 6, 2021

*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.

In 2014, appellees, acting as substitute trustees,¹ filed an Order to Docket Foreclosure in the Circuit Court for Harford County seeking to foreclose on real property owned by Keith J. Jeffries, appellant. On April 16, 2018, Mr. Jeffries filed a motion to dismiss the foreclosure action. In that motion, he claimed that American Home Mortgage Asset Trust 2007-3, the holder of the Note securing the Deed of Trust, was not a licensed debt collector in Maryland, and therefore, based on this Court’s decision in *Blackstone v. Sharma*, 233 Md. App. 58 (2017), that it was barred from instituting the foreclosure proceedings. As relief, Mr. Jeffries requested the circuit court to either dismiss the action or, because the Court of Appeals had granted certiorari in *Blackstone*, to stay the foreclosure sale pending the Court of Appeals’ decision in that case. The court denied the motion without a hearing. This appeal followed.²

On appeal, Mr. Jeffries raises ten issues, all of which appear to relate to the denial of other motions to stay or dismiss that he has filed in the foreclosure action. However, a notice of appeal must be filed within 30 days after the entry of the order or judgment from which the appeal is taken. *See* Maryland Rule 8-202(a). And because the notice of appeal

¹ Appellees are Carrie M. Ward, Howard Bierman, Joshua Coleman, Nicholas Derdock, Jacob Geesing, Richard R. Goldsmith, Elizabeth C. Jones, Jason Kutcher, Pratima LeLe, and Ludeen McCartney-Green.

² Appellees contend that the appeal should be dismissed because the court’s order denying the motion to dismiss was not an appealable order. However, in the motion to dismiss Mr. Jeffries also requested the court to stay the foreclosure proceedings. And the denial of a motion to stay in a foreclosure action is appealable on an interlocutory basis as an order refusing to grant an injunction. *See Huertas v. Ward*, 248 Md. App. 187, 202 (2020). Consequently, we shall deny the motion to dismiss.

was timely only as to the court’s order denying his April 2018 motion to dismiss, our review in this appeal is limited to the denial of that motion.

Mr. Jeffries does not address the court’s denial of that motion in his brief. Therefore, we need not consider that issue on appeal and could affirm the court’s judgment on that basis alone. *Klaunberg v. State*, 355 Md. 528, 552 (1999) (stating that “arguments not presented in a brief or not presented with particularity will not be considered on appeal”). But even if the issue had been presented, it lacks merit. In *Blackstone v. Sharma*, 461 Md. 87 (2018), the Court of Appeals held that a foreign statutory trust is not required to be licensed as a debt collector before it can initiate a foreclosure action in Maryland. Consequently, the circuit court did not err in denying Mr. Jeffries’s April 16, 2018 motion.

**APPELLEE’S MOTION TO DISMISS
DENIED. JUDGMENT OF THE
CIRCUIT COURT FOR HARFORD
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**