

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 468

September Term, 2025

IRIS MCCLAIN

v.

WILLIAM M. SAVAGE, *et al.*

Wells, C.J.,
Albright,
Meredith, Timothy E.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 20, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

In this foreclosure case, Iris McClain, appellant, appeals from an order issued by the Circuit Court for Prince George’s County which denied her request to rule on her pending motion for sanctions. She raises three issues on appeal, which reduce to one: whether the court erred in declining to rule on her motion for sanctions. Appellees have filed a motion to dismiss the appeal on the grounds that it is untimely and not taken from a final judgment. For the reasons that follow, we shall deny the motion to dismiss, vacate the ruling relative to the motion for sanctions, and remand the case for the circuit court to consider appellant’s motion for sanctions.

In 2013, appellees, the substitute trustees, filed an order to docket foreclosure seeking to foreclose on real property owned by appellant. The case has been repeatedly postponed, and the property has not been sold at a foreclosure auction. Relevant to this appeal, appellant filed two motions on February 13, 2024: (1) a motion to dismiss the foreclosure action, on the ground that the parties had entered into a loan modification agreement, and (2) a motion for sanctions pursuant to Maryland Rule 1-341, wherein she alleged that appellees had engaged in various unjustified and bad faith conduct throughout the foreclosure proceedings. Appellees did not file a response to either motion. However, on March 7, 2024, they filed a motion for voluntary dismissal pursuant to Maryland Rule 2-506. The same day, the court entered an order granting the motion and dismissing the case without prejudice.

Approximately five weeks later, the court entered an order, denying appellant’s motion to dismiss as moot. But it never entered an order specifically addressing the motion for sanctions. Therefore, in February 2025, appellant filed a motion requesting the court

to act on her motion for sanctions (motion to act). On April 4, 2025, the court entered an order denying appellant’s motion to act, finding that because the “matter was dismissed on March 7, 2024, [] all pending motions/requests were therefore deemed moot.” This appeal followed.

In seeking to dismiss the appeal, appellees essentially assert that: (1) the court’s March 7, 2024, order dismissing the foreclosure action was a final judgment that implicitly denied appellant’s motion for sanctions; (2) because appellant did not file a notice of appeal from that judgment within 30 days, her appeal from the denial of her sanctions motion is untimely; and (3) the court’s order denying her motion to act is not a final, appealable judgment because the motion for sanctions had already been denied 11 months earlier. Ultimately, these arguments are based on the same underlying premise: that the court implicitly denied appellant’s motion for sanctions when it dismissed the foreclosure case. We disagree.

To be sure, the denial of a motion may be implied by the entry of a final judgment or of an order inconsistent with the granting of relief. But Rule 1-341 motions are “independent proceeding[s] supplemental to the original proceeding,” and the conclusion of the original proceeding does not divest the circuit court of jurisdiction to consider such motions. *Litty v. Becker*, 104 Md. App. 370, 376 (1995). In other words, the issue of whether appellant was entitled to sanctions was entirely collateral to the merits of the foreclosure action and could thus have been resolved after the termination of the foreclosure action. As such, we decline to view the dismissal of the foreclosure action as an implicit denial of appellant’s motion for sanctions.

Because the court did not explicitly or implicitly deny the motion for sanctions when it dismissed the foreclosure case, the dismissal order did not constitute a final judgment with respect to the sanctions issue. That is because to be a final judgment a ruling must ordinarily have the following three attributes:

(1) it must be intended by the court as an unqualified, final disposition of the matter in controversy[;] (2) unless the court acts pursuant to Maryland Rule 2-602(b) to direct the entry of a final judgment as to less than all of the claims or all of the parties, it must adjudicate or complete the adjudication of all claims against all parties; [and] (3) it must be set forth and recorded in accordance with Rule 2-601.

Metro Maint. Sys. S., Inc. v. Milburn, 442 Md. 289, 298 (2015) (citation omitted). Here, even if the court intended to deny the motion for sanctions when it dismissed the foreclosure action, it did not enter an order on the docket which denied the sanctions motion until it denied appellant’s request to act. As such, we are persuaded that the order denying the motion to act was the final judgment with respect to appellant’s Rule 1-341 motion. And because appellant filed her notice of appeal within 30 days of that order, we shall deny the motion to dismiss.

Turning to the merits, the court declined to rule on appellant’s motion for sanctions because it believed that its earlier dismissal of the action had rendered the issue moot. However, as previously set forth, appellant’s motion for sanctions was collateral to the underlying merits of the foreclosure action. Thus, it did not become moot when the foreclosure action was dismissed. Moreover, in deciding the motion for sanctions, the court was required to consider whether appellees had conducted litigation either in bad faith or without substantial justification, something it certainly did not do when it granted

appellees' motion for voluntary dismissal. As such, we hold that the court erred in denying appellant's motion to act on mootness grounds. We shall therefore vacate the court's ruling relative to the motion for sanctions and remand the case for the court to consider the merits of that motion.

APPELLEES' MOTION TO DISMISS DENIED. THE ORDER DENYING APPELLANT'S MOTION TO ACT IS VACATED. CASE REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION. COSTS TO BE PAID BY APPELLEES.