

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 549

September Term, 2022

---

KOFI L. BOATENG, *et al.*

v.

KRISTINE D. BROWN, *et al.*

---

Wells, C.J.,  
Shaw,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),

JJ.

---

PER CURIAM

---

Filed: February 24, 2023

\*At the November 8, 2022, general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

\*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 2016, appellees, acting as substitute trustees,<sup>1</sup> filed an Order to Docket in the Circuit Court for Prince George’s County, seeking to foreclose on real property owned by Kofi L. Boateng and Comfort Boateng, appellants. Deutsche Bank National Trust Company, as Trustee on Behalf of HSI Asset Securitization Corporation Trust 2006-HE2 (Deutsche Bank) purchased the Boatengs’ home at a foreclosure sale. The court ratified the sale in October 2019, entered an order awarding possession of the property to Deutsche Bank in January 2020, and ratified the auditor’s report in August 2020.

On March 30, 2022, appellant filed a Notice of Removal in the circuit court, indicating that they had removed the case to the United State District Court for the District of Maryland, asserting federal question jurisdiction. Appellants then filed a motion to stay enforcement of the judgment, “including granting of [a] Motion of Possession,” based on the case having been removed. The court entered an order on May 2, 2022, denying the motion to stay and ordering that the case could “proceed in due course[.]” This appeal followed. Appellants raise a single issue on appeal: whether the court erred in denying the motion to stay. For the reasons that follow, we shall dismiss the appeal as moot.

“A question is moot if, at the time it is before the court, there is no longer an existing controversy between the parties, so that there is no longer any effective remedy which the court can provide.” *Maryland Comm’n on Hum. Rels. v. Downey Commc’ns, Inc.*, 110 Md. App. 493, 512 (1996) (quotation marks and citation omitted). Appellant claims that the

---

<sup>1</sup> Appellees are Kristine D. Brown, Gregory N. Britto, William M. Savage, and Lila Stitely.

removal notice deprived the circuit court of jurisdiction, and therefore the court erred in denying the motion to stay and allowing the case to proceed. However, in December 2022, the Federal District Court entered an order finding that the removal had been improper and remanding the case to the circuit court. And between the time that appellants filed the notice of removal and the time the Federal District Court entered the remand order, the circuit court did not take any action with respect to the foreclosure case, notwithstanding the fact that it had denied the motion to stay.<sup>2</sup> Thus, even if we assume that the court should have granted the motion to stay, there is no effective remedy we can provide to appellants because the court did not enter any orders without having jurisdiction to do so. Consequently, we must dismiss the appeal as moot.

**APPEAL DISMISSED. COSTS TO  
BE PAID BY APPELLANTS.**

---

<sup>2</sup> Although appellant asserts that the court ratified the sale when it had no jurisdiction, the ratification order was entered in October 2019, more than two years prior to the notice of removal being filed.