

Circuit Court for Prince George's County  
Case No. CAEF19-30241

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1103

September Term, 2025

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ALAN M. LANCASTER

v.

JAMES E. CLARKE, *et al.*

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Nazarian,  
Leahy,  
Sharer, J. Frederick  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: June 23, 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, Alan M. Lancaster, appellant, appeals from an order issued by the Circuit Court for Prince George’s County granting a motion for judgment of possession filed by Wells Fargo Bank, National Association, as Trustee for Merrill Lynch Mortgage Investors Trust, Series 2005-FM1 (Wells Fargo). He raises four issues on appeal: (1) whether the court erred in granting appellee’s motion for a writ of possession when it was issued prematurely and in violation of Md. Rule 2-643(a); (2) whether the writ of eviction issued by the court had become stale and unenforceable under Md. Rule 2-643(c); (3) whether the court erred in ordering the writ of eviction because the record does not reflect that “all required notices, time periods, and confirmations were satisfied before issuance” of the writ of possession; and (4) whether “a matter which arises from a mortgage or deed of trust, in lieu of a lease or rental agreement, adjudicated under Real Property § 8-401 . . . is unenforceable due to lack of statutory authority.” For the reasons that follow, we shall affirm.

In 2019, James. E. Clarke and Clarke, Dyson, Menapace, appellees acting as substitute trustees, filed an order to docket, seeking to foreclose on real property owned by appellant. The property was sold to Wells Fargo by way of a credit bid, and the circuit court ratified the sale in November 2022. Appellant appealed, and this Court affirmed. *Lancaster v. Clarke*, No. 1519, Sept. Term, 2022 (filed July 28, 2023). In January 2025, Wells Fargo filed a motion for judgment awarding possession, asserting that, as the successful foreclosure purchaser and deed holder, it was entitled to possession of the property. Appellant filed various motions in opposition, including a “Motion to Vacate and Dismiss Motion for Judgement [sic] Awarding Possession”; “Motion for a Preliminary

Injunction and New Trial”; “Motion for Reconsideration”; and “Motion Request to Schedule Hearing, Reconsideration, Alter or Amend Case.” In each of those motions, appellant’s primary claim was that the substitute trustees had committed fraud and lacked standing to foreclose, because they did not have a valid deed to the property. The court denied those motions, and on July 17, 2025, it entered an order granting Wells Fargo’s motion for judgment of possession. Appellant filed his notice of appeal on July 25, 2025.

As an initial matter, we note that the issues raised by appellant appear to address the court’s issuance of the writ of possession in November 2025, rather than its July 2025 order granting Wells Fargo’s motion for judgment of possession. But the validity of the writ of possession, and any orders issued by the court related to the execution of the writ of possession, are not properly before us as appellant did not file a notice of appeal from those orders. In any event, appellant did not raise any of his appellate claims when opposing the motion for judgment of possession in the circuit court. Consequently, those claims are not preserved, and we decline to address them for the first time on appeal. *See* Md. Rule 8-131(a) (“Ordinarily, an appellate court will not decide any other issue unless it plainly appears by the record to have been raised in or decided by the trial court[.]”).

**JUDGMENT OF THE CIRCUIT  
COURT FOR PRINCE GEORGE’S  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**