

Circuit Court for Baltimore City
Case No.: 24-C-20-001396

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1318

September Term, 2024

CRYSTAL HOMES, LLC

v.

LOMBRE PATTON, *et al.*

Graeff,
Kehoe, S.,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 14, 2025

*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 2019, the Mayor and City Council of Baltimore purchased, at a tax sale, a lien on property owned by Lombre Patton and Jabre Parker, appellees. The City assigned its interest to Shlomo Nadler, who then assigned his interest to Crystal Homes, LLC, appellant. In March 2020, Crystal Homes filed, in the Circuit Court for Baltimore City, a complaint to foreclose rights of redemption in the property. In May 2023, Crystal Homes filed an affidavit certifying its compliance with Maryland Rule 2-121, and, in July 2023, it moved for judgment granting it title to the property. The court denied the motion on September 12, 2023, due to deficiencies in the affidavit of title search that accompanied the original complaint. *See* Md. Rule 14-502(c)(2). The court gave Crystal Homes 30 days to correct the deficiencies and warned that failure to do so could result in dismissal of the case. When Crystal Homes failed to correct the deficiencies by December 5, 2023, the court dismissed the case.

Two months later, in February 2024, Crystal Homes moved to vacate the judgment under Maryland Rule 2-535(b), alleging that it had never received the court’s September 12 and December 5 Orders. The court denied the motion on May 1, 2024. Crystal Homes then moved again to vacate the judgment, raising the same arguments, and the court again denied the motion on August 26, 2024. Crystal Homes noted this appeal on August 30, 2024.

Maryland Rule 8-202 requires that a notice of appeal be filed “within 30 days after entry of the judgment or order from which the appeal is taken.” The only order entered in the 30 days preceding Crystal Homes’s notice of appeal was the circuit court’s denial of its

second revisory motion. But although its notice was timely as to the denial of that revisory motion, the order is not appealable.

This Court has previously observed that “[t]he denial of [a] second motion to revise is not appealable because it is not a final judgment.” *Pickett v. Noba, Inc.*, 114 Md. App. 552, 560 (1997) (noting that a “second motion to revise filed more than [30] days after the entry of judgment, even though within [30] days after denial of the first motion, cannot be granted”). Here, Crystal Homes’s first revisory motion was denied on May 1, 2024. Rather than appeal within 30 days of that order, Crystal Homes filed a second request for the court to exercise its revisory power. Its refusal to do so is not appealable.

Consequently, we shall dismiss this appeal as untimely with respect to the denial of Crystal Homes’s first revisory motion and as not allowed by law with respect to the denial of its second revisory motion.¹ See Md. Rule 8-602(b)(1) & (2).

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

¹ Even if the claims raised in Crystal Homes’s motions were properly before us, we would nevertheless affirm. To be sure, the motions’ allegations that the clerk failed to mail the September 12 and December 5 Orders, if true, would constitute an irregularity under Rule 2-535(b). See *Thacker v. Hale*, 146 Md. App. 203, 219–20 (2002). In denying the second revisory motion, however, the circuit court found that the docket showed that the clerk did mail copies of the orders, which were themselves also entered on the docket. “[D]ocket entries are presumptively correct[.]” *Estime v. King*, 196 Md. App. 296, 304 (2010). Further, “[i]t is the responsibility of attorneys . . . to monitor dockets for when pleadings and other documents are filed.” *Id.* Had Crystal Homes monitored the case docket, it would have seen when the orders were entered and mailed. Its failure to receive them, alone, does not constitute an irregularity under Rule 2-535(b). The circuit court therefore did not err in denying the revisory motions.