

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 1758

September Term, 2016

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JOE DEAN CRAWFORD

v.

CARRIE M. WARD, ET AL.,  
SUBSTITUTE TRUSTEES

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Woodward, C.J.,  
Eyler, Deborah S.,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: February 7, 2018

\*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.

This case concerns an appeal noted by Joe Dean Crawford, appellant, in the Circuit Court for Prince George’s County concerning the foreclosure of property located at 4934 Gunther Street, Capitol Heights, Maryland 20743 (“the property”). In November 2013, substitute trustees, appellees, filed an order to docket foreclosure.<sup>1</sup> The property was sold at auction on April 22, 2014, to the Federal National Mortgage Association (“Fannie Mae”), and a report of sale was filed on May 7, 2014. In a previous unreported opinion of this Court, we affirmed several 2014 orders of the circuit court regarding this matter.<sup>2</sup> *See Crawford v. Ward*, Nos. 141 & 2031, Sept. Term 2014 (filed July 17, 2015).

On January 7, 2016, the circuit court ratified the order of sale; Crawford did not note a timely appeal. Instead, the docket entries reflect that Crawford filed a motion for summary judgment. On February 18, 2016, Fannie Mae filed a motion for judgment awarding it possession of the property, which the court granted. Crawford then noted a timely appeal, which he later amended following the filing of the auditor’s report on December 8, 2016.

On appeal, Crawford contends that this Court should return the case to “Square One” and overturn the foreclosure. He maintains that he properly sought a jury for a

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<sup>1</sup> The substitute trustees are Carrie Ward, Jacob Geesing, Howard Bierman, Pratima Lele, Yayyaba Monto, and Joshua Coleman.

<sup>2</sup> We affirmed the following circuit court orders: March 20, 2014 order denying Crawford’s “Motion for Summary Dismissal”; April 24, 2014 order denying Crawford’s emergency motion for an injunction; July 10, 2014 order overruling Crawford’s exceptions to the sale; July 29, 2014 order granting appellees’ motion to strike request for mediation; and October 8, 2014 order denying Crawford’s motion to dismiss.

counterclaim, and he never had an opportunity to present his counterclaim to his requested jury. He also argues that the entire foreclosure proceeding is illegal because appellees failed to meet the “jurisdictional requirements” of Maryland Code (1974, 2015 Repl. Vol.), Real Property (“RP”), §§ 7-105.1 & 7-105.2. Ultimately, he contends that there were issues of fact that could not be resolved outside of a jury trial, and he was entitled to that process. Notably, he does not specifically challenge the order awarding possession of the property to Fannie Mae or the auditor’s report, the only orders subject to this appeal.

In *Pelletier v. Burson*, 213 Md. App. 284, 289-90 (2013), this Court remarked: “The effect of a final ratification of sale is *res judicata* as to the validity of such sale, except in the case of fraud or illegality.” (quoting *Jones v. Rosenberg*, 178 Md. App. 54, 72 (2008)). Accordingly, when Crawford failed to note a timely appeal to the order ratifying the sale, that order became enrolled. This Court has explained that once a foreclosure sale is ratified and the order enrolled, “its regularity cannot be attacked in collateral proceedings.” *Manigan v. Burson*, 160 Md. App. 114, 120 (2004) (quoting *Ed Jacobsen, Jr., Inc. v. Barrick*, 252 Md. 507, 511 (1969)).

Crawford does not allege any fraud or mistake in the ratification of the sale. The only illegality he maintains that occurred is that appellees failed to observe the service requirements of Rule 14-209 and RP §§ 7-105.1 & 7-105.2.<sup>3</sup> A review of the record indicates that appellees complied with the statutes and rules concerning service of process. Moreover, this Court has noted that “if the judgment under attack was entered in

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<sup>3</sup> These statutes provide timing requirements for the filing of foreclosures, as well as require notices be sent to the mortgagor and the record owner

conformity with the practice and procedures commonly used by the court that entered it, there is no irregularity justifying the exercise of revisory powers under Rule 2-535(b).” *Pelletier*, 213 Md. App. at 290 (quoting *De Arriz v. Klingler-De Arriz*, 179 Md. App. 458, 469 (2008)).

Accordingly, because the circuit court ratified the order of sale, and Crawford has not articulated a valid reason to attack that ratification, he cannot challenge the regularity of the underlying foreclosure.

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