

Circuit Court for Baltimore City
Case No. 24-O-23-001125

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 2334

September Term, 2024

FREDERICK ROBINSON

v.

ROBERT A. JONES, *et al.*

Wells, C.J.,
Leahy,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 7, 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 this foreclosure case, Frederick Robinson, appellant, appeals from an order issued by the Circuit Court for Baltimore City granting a motion for judgment of possession filed by PNC Bank, National Association (PNC Bank), appellee. On appeal, he raises five issues which we reduce to one: whether the court erred in granting the motion for judgment of possession. For the reasons that follow, we shall affirm.¹

In 2023, Robert A. Jones, appellee, acting as substitute trustee, filed an order to docket, seeking to foreclose on real property owned by appellant. The final loss mitigation affidavit was filed on November 21, 2023, and appellant did not request mediation. In May 2024, appellant filed a “Petition for a Temporary Restraining Order and Preliminary Injunction,” which raised numerous claims, including that the substitute trustees had no “interest, contract, or business with [him] and his property”; he did not owe the amount stated in the Order to Docket; and the collection of the debt was “time-barred.” The court construed the motion as a motion to stay or dismiss pursuant to Maryland Rule 14-211, and denied it without a hearing.

On May 14, 2024, appellant’s property was sold at a foreclosure auction to PNC Bank for the purchase price of \$97,270.00. The circuit court entered an order ratifying the sale on August 30, 2024. Appellant then filed a “Motion to Vacate Court Order Ratifying Sale of Home and Demand for Jury Trial,” which the court denied on October 18, 2024. Appellant did not file a timely notice of appeal from either the ratification order or the denial of his motion to vacate.

¹ Appellees have filed a motion to dismiss the appeal as moot because appellant has already been evicted from the property. We shall deny that motion.

In December 2024, PNC Bank filed a motion for judgment of possession, asserting that, as the successful foreclosure purchaser, it was entitled to possession of the property. In response, appellant filed a “Petition to Redress of Grievances and to Dismiss Respondents Motion for Foreclosure Purchaser’s Motion for Judgment Awarding Possession,” based on alleged “violations of his Constitutional Rights, judicial misconduct, bias rulings by three Circuit Court administrative judges, and other unlawful actions, including violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, and Maryland State Law.” He further asserted that the motion for judgment of possession must be dismissed because he had removed the case to Federal Court, and therefore, the circuit court no longer had jurisdiction over the case. On January 24, 2025, the court issued orders: (1) striking the notice of removal because appellant had not, in fact, filed a complaint in the Federal District Court, and (2) granting PNC’s motion for judgment of possession. This appeal followed.

Although appellant’s contentions on appeal are somewhat unclear, he essentially asserts that the judgment awarding possession, as well as all other orders issued in the foreclosure case, should be vacated because: (1) he filed a Lis Pendens prior to the property being sold; (2) appellees are not “lawfully, legally licensed and insured in Maryland[;]” (3) he paid the debt in full pursuant to “U.S.C Code 12 CFR 701.37[;]” (4) the sale of the property constituted a “fraudulent conveyance under UCC § 9-401[;]” (5) appellees violated the Fair Debt Collection Practices Act; (6) statements made by appellees constitute inadmissible hearsay; (7) the collateral for the loan was not the property, but rather Federal

Reserve Coupons that could only be obtained using his signature; and (8) he had already cancelled the debt associated with the note by “fil[ing] a 1099-C with the IRS[.]”

But the scope of an appeal of an order granting or denying possession is quite limited. *See Manigan v. Burson*, 160 Md. App. 114, 119 (2004). “The appeal must pertain to the issue of possession . . . and may not be an attempt to relitigate issues that were finally resolved in a prior proceeding.” *Id.* A party may not raise issues in an appeal of an order granting possession which could have been properly raised in a motion to stay or dismiss a foreclosure or in timely filed exceptions. *Id.* Moreover, the ratification of the foreclosure sale is res judicata as to the validity of the foreclosure sale. *See Jones v. Rosenberg*, 178 Md. App. 54, 72 (2008). Here, all of appellant’s contentions relate to the propriety of the underlying foreclosure action. And they were either raised, or could have been raised, prior to the ratification of the foreclosure sale. Consequently, we shall not consider them on appeal.

In any event, Maryland Rule 14-102(a) provides that,

[i]f the purchaser of an interest in real property at a sale conducted pursuant to the Rules in this Title is entitled to possession and the person in actual possession fails or refuses to deliver possession, the purchaser or a successor in interest who claims the right of immediate possession may file a motion for judgment awarding possession of the property.

“To invoke [Rule 14-102], the purchaser must show that (1) the property was purchased at a foreclosure sale, (2) the purchaser is entitled to possession, and (3) the person in possession fails or refuses to relinquish possession.” *G.E. Cap. Mortg. Servs., Inc. v. Edwards*, 144 Md. App. 449, 457 (2002). “[G]enerally, a purchaser of property at a foreclosure sale may be entitled to seek possession of that property when the sale is ratified

by the Circuit Court.” *Empire Props., LLC v. Hardy*, 386 Md. 628, 651 (2005). In the instant case, the record indicates that PNC Bank purchased the property at the foreclosure sale, and the circuit court ratified that sale. And there is no evidence in the record indicating that the property was being occupied by bona fide tenants. Consequently, PNC Bank had the right to obtain possession of the property under Maryland Rule 14-102, and the court did not err in granting the motion for judgment awarding possession.

**APPELLEES’ MOTION TO DISMISS
DENIED. JUDGMENT OF THE CIRCUIT
COURT FOR BALTIMORE CITY
AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**