

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 1425

September Term, 2015

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IN THE MATTER OF THE ESTATE OF  
MARGARET A. WORTHY-MOORE

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Krauser, C.J.  
Graeff,  
Nazarian,

JJ.

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PER CURIAM

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Filed: December 8, 2016

\*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.

Chandrae Adekoya-James, appellant, appeals from an order, issued by the Circuit Court for Baltimore City, removing her as personal representative of the estate of her deceased mother, and naming the deceased’s step-son, Jerry Ellis, as the personal representative of that estate. Finding no error, we affirm.

James first asserts that the circuit court erred in affirming her removal as personal representative. This claim is without merit. Section 6-306 of the Maryland Estates and Trusts Article provides that a personal representative shall be removed from office if the court finds that he or she willfully disregarded an order of the court or failed to reasonably perform a material duty of the office. *Id.* Here, James was removed after she failed to file necessary paperwork in a timely fashion, despite the issuance of multiple show cause orders, which James does not dispute.

James next contends that Ellis did not have “priority of order to be personal representative under Md. Estates and Trusts Code Ann. § 5-104.” This argument, however, was not raised by James in the circuit court and, as a result, is unpreserved for our review. Md. Rule 8-131(a) (“Ordinarily, the appellate court will not decide any [non-jurisdictional] issue unless it plainly appears by the record to have been raised in or decided by the trial court[.]”).

James’ third contention is that Ellis should have been removed as personal representative when he denied James full reimbursement for expenses she incurred in maintaining the estate’s sole asset, a house in Baltimore. The court found, however, James’ claim for reimbursement “wholly disingenuous” because the majority of the claim was for expenses incurred “when either her adult child or children or others...were permitted to

live in the premises.” Moreover, James cites no law or relevant facts to support her argument or to refute the court’s findings. In fact, James’ attorney agreed with the court’s findings at trial.

James’ final contention is that Ellis is unqualified to act as personal representative because he is an out-of-state resident and did not name a Maryland resident agent at the time of his appointment. James is mistaken. Maryland law requires that a resident agent be named before letters of administration are issued, not at the time of appointment. Md. Code, Estates and Trusts, § 5-105(b)(6). Ellis’ testimony established that he had named a resident agent and filed the appropriate paperwork as required by Maryland law.

**JUDGMENT OF THE CIRCUIT  
COURT FOR BALTIMORE CITY  
AFFIRMED. COSTS TO BE PAID  
BY APPELLANT.**