

Circuit Court for Baltimore City
Case No.: 24-C-22-005077

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 998

September Term, 2023

JAMES J. BOSLEY

v.

STATE EMPLOYEES
CREDIT UNION OF MD, INC.

Wells, C.J.,
Nazarian,
Albright,

JJ.

PER CURIAM

Filed: October 8, 2024

*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

In October 2022, State Employees Credit Union of MD, Inc., appellee (“SECU”), sued James J. Bosley, appellant, in the District Court of Maryland alleging breach of contract. When Bosley prayed a jury trial, the case was transferred to the Circuit Court for Baltimore City. The court then issued a scheduling order that, among other things, set a pre-trial conference for June 14, 2023. Ahead of this conference, SECU moved for summary judgment. Bosley did not appear at the pre-trial conference. So on June 26, the court granted summary judgment to SECU. This appeal followed.

On appeal, Bosley contends that summary judgment was improper because he was not served with SECU’s motion.¹ He presents no argument on the merits of the court’s decision to grant summary judgment.

The record reflects that SECU’s motion contained a proper certificate of service indicating the motion was mailed to Bosley. The address is the same one that was on-record with the circuit court and that Bosley has included on all his filings throughout this litigation. *See* Md. Rule 1-321(a) (authorizing service of a filing “by mailing it to the address most recently stated in a pleading or paper filed by the . . . party, or if not stated, to the last known address”). “A certificate of service is *prima facie* proof of service.” Md. Rule 1-323. Moreover, “[i]t is the responsibility of attorneys, and by extension *pro se*

¹ Bosley also points out that the order granting summary judgment misidentifies SECU as “Tower Federal Credit Union.” This clerical mistake would not be grounds to vacate the circuit court’s order. Instead, the court may correct the order “at any time on its own initiative, or on motion of any party after such notice, if any, as the court orders.” Md. Rule 2-535(d). The circuit court’s docket reflects that SECU filed an appropriate motion to correct the mistake on September 6, 2024, which will be processed in due course. To the extent the circuit court requires leave of this Court to do so, it is granted. *See id.*

litigants, to monitor dockets for when pleadings and other documents are filed.” *Estime v. King*, 196 Md. App. 296, 304 (2010). Accordingly, there is sufficient evidence in the record to conclude Bosley was served with SECU’s motion, and, in any event, it was his responsibility to monitor the court’s docket. Thus, Bosley’s argument lacks merit, and the circuit court did not err in granting summary judgment to SECU.

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