

Circuit Court for Prince George's County
Case No. C-16-CV-23-002639

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1338

September Term, 2024

RONALDO V. TUCKER

v.

CARRIE M. WARD, *et al.*

Beachley,
Albright,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 4, 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.

After Ronaldo V. Tucker, appellant, defaulted on his deed of trust home loan, appellees,¹ the substitute trustees, filed an Order to Docket Foreclosure in the Circuit Court for Prince George’s County. Appellant’s home was eventually sold at a foreclosure auction on March 26, 2024. The court ratified the sale on June 6, 2024, and referred the case to an auditor. The auditor filed his report on August 1, 2024. Although appellant did not file exceptions, he did submit a “Letter of Equity to all Parties,” wherein he indicated that the substitute trustees had “infringed upon [his] ‘Natural Rights of property[,]’” that the substitute trustees had never “had lawful Jurisdiction and Status in this matter of Equity[,]” and that there had been a “breach of fiduciary duty [which] created an Equitable Estoppel that must be addressed with sanctions[.]” The court ratified the auditor’s report on August 20, 2024. This appeal followed.

On appeal, appellant contends that: (1) “certain defects in the lower court’s process, including improper party designation and procedural errors, warrant the suspension of the case[;]” (2) the circuit court lacked subject matter and personal jurisdiction; (3) the circuit court’s ruling was “inconsistent with equitable principles” because it “failed to consider mitigating factors that should have been taken into account[;]” (4) the “quasi-judicial system employed by the lower court” violated his “constitutional right to due process[;]” and (5) the “confidentiality of the proceedings was

¹ Appellees are Carrie M. Ward, Howard N. Bierman, Andrew J. Brenner, Nicholas Derdock, Jacob Geesing, Richard R. Goldsmith, Jr., Elizabeth C. Jones, Christopher Robert Selig, and Philip Shriver.

violated, contrary to Maryland Rule 8-502 and applicable statutes.” For the reasons that follow we shall affirm.

An order ratifying a foreclosure sale constitutes the “final judgment as to any rights in the real property, even if the order refers the matter to an auditor to state an account.” *Huertas v. Ward*, 248 Md. App. 187, 205 (2020). Thus, to challenge the validity of the foreclosure sale on appeal, appellant had to file a timely notice of appeal from the court’s June 6, 2024, order ratifying the foreclosure sale. But appellant’s notice of appeal was untimely as to that order as it was filed more 30 days after its entry on the docket. *See* Maryland Rule 8-202(a). Consequently, we shall not consider any claims that appellant now raises with respect to the validity of the foreclosure sale. *See Jones v. Rosenberg*, 178 Md. App. 54, 72 (2008) (noting that the final ratification of the foreclosure sale “is *res judicata* as to the validity of such sale”); *see also Manigan v. Burson*, 160 Md. App. 114, 120 (2004) (“Ordinarily, upon the court’s ratification of a foreclosure sale objections to the propriety of the foreclosure sale will no longer be entertained.”).

To be sure, appellant did file a timely notice of appeal from the court’s order ratifying the auditor’s report. But the “process of referring the case to an auditor and resolving any exceptions to the auditor’s report is collateral to the foreclosure proceeding, and thus it does not affect the finality of an order ratifying the foreclosure sale.” *Huertas*, 248 Md. App. at 206 (2020). Appellant does not raise any specific issues with respect to

the calculations contained in the auditor’s report or the court’s ratification of that report.² And he ultimately has the burden of demonstrating that the court erred in entering that order. Because he has not done so, we shall affirm.

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

² In his brief, appellant generally challenges the circuit court’s subject matter jurisdiction over the foreclosure action, and its personal jurisdiction over him. However, appellant does not raise any particularized arguments with respect to these claims. In any event, we note that the Maryland Rules of Procedure, which govern the courts of this state, provide that the circuit courts in Maryland have general equity jurisdiction over foreclosures. *See* Md. Rule 14-203; *see also* *Voge v. Olin*, 69 Md. App. 508, 514 (1986) (“[T]he circuit court has general equity jurisdiction over mortgage foreclosure proceedings and it may invoke all the equitable powers with which it is imbued[.]”). And because the subject property is located in Prince George’s County, the Prince George’s County circuit court had in rem jurisdiction over the foreclosure after the Order to Docket was filed. *See* Md. Rule 14-203. Moreover, the record indicates that the court could exercise personal jurisdiction over appellant as he is a resident of Prince George’s County and was served with a copy the Order to Docket in the manner prescribed by Section 7-105.1(h) of the Real Property Article.