Circuit Court for Washington County
Case No. C-21-CV-21-000420

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1428

September Term, 2022

JUSTIN K HOLDER

v.

SCOTT MORRAL, ET AL.

Nazarian,
Zic,
Robinson, Dennis M.
(Specially Assigned),
JJ.

Opinion by Zic, J.

Filed: November 7, 2024

* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

This case arises from a land dispute in Keedysville, Washington County, Maryland. Located in Keedysville is the Stonecrest subdivision. Jeffery Young, an appellee, owns land immediately to Stonecrest's east. Appellant Justin Holder, his wife, Deana Holder, and the affiliated Uncle Eddies Brokedown Palace own land to the north of Stonecrest and Mr. Young's land. Both Mr. Holder and Mr. Young claim ownership of an alleged strip of land ("the Gap"), which is described as approximately 8,286 square feet between Stonecrest's eastern boundary and Mr. Young's property's western boundary and runs roughly north-south along Stonecrest's eastern border.

In September 2020, Mr. Young initiated a lawsuit seeking quiet title, as well as declaratory and injunctive relief, against Mr. Holder and other interested parties (the "Young Action").[1] During the pendency of the Young Action, Mr. Holder filed his own suit ("this Action" or the "Holder Action") claiming ownership of the Gap. Multiple defendants, including Mr. Young, filed motions to dismiss. The circuit court reserved Mr. Young's motion to dismiss because this Action implicated the same issues of ownership as the Young Action, and ultimately stayed this Action until the resolution of the Young Action.

On September 6, 2022, following a June 2022 trial in the Young Action, the circuit court found for Mr. Young and entered declaratory judgment in his favor. The

[1] The Young Action, case number C-21-CV-20-00371, is sometimes referred to as "case 371" by Mr. Holder.

court subsequently dismissed this Action in its entirety. Mr. Holder now appeals this dismissal.[2]

BACKGROUND

Mr. Young owns the property located at 13 Dogstreet Road, a panhandle-shaped property divided into three parcels and situated to the east of Main Street and northeast of Dogstreet Road. Parcel 1 contains approximately 10 acres of land and Mr. Young's residence. Parcel 2 is a 0.11-acre tract that connects Parcel 1 to Dogstreet Road via an extended driveway. Parcel 3 is a roughly quarter-acre strip forming the western boundary between Mr. Young's Parcel 1 and the Stonecrest subdivision.

Mr. Holder, along with his wife and her company, Uncle Eddies Brokedown Palace ("Uncle Eddies"), own three plots of land situated north of Mr. Young's land and the Stonecrest subdivision.[3] The plots are separated from Mr. Young's Parcels 1, 2, and

[2] Mr. Holder has filed several related appeals with this Court relevant to this Action, of which he has subsequently appealed to both the Supreme Court of Maryland and the Supreme Court of the United States. *Holder v. Young*, No. 883, Sept. Term 2023, 2024 WL 2794144 (Md. App. May 31, 2024); *Holder v. Young*, Nos. 1145 & 1457, Sept. Term 2022, 2023 WL 3674691 (Md. App. May 26, 2023), *cert. denied sub nom. Uncle Eddie's Brokedown Palace, LLC v. Young*, 485 Md. 141 (2023) and *cert. denied* 485 Md. 144 (2023), and *cert. denied*, 144 S. Ct. 2522 (2024). *See also*, *Holder v. Thomas*, No. CV-GLR-23-1874, 2023 WL 7277479 (D. Md. July 27, 2023) (dismissing Mr. Holder's suit against the Washington County District Court judge who issued a peace order to Scott and Christine Morral, appellees in this case, following a dispute concerning Mr. Holder's alleged easements), *aff'd*, No. 23-2134, 2024 WL 773589 (4th Cir. Feb. 26, 2024), and *cert. denied*, No. 23-1356, 2024 WL 4426696 (U.S. Oct. 7, 2024).

[3] Uncle Eddies Brokedown Palace LLC has been referred to in a variety of ways, including with and without an apostrophe, and sometimes in plural form while at other times, in singular form. The business name registered in Maryland is "Uncle Eddies Brokedown Palace LLC" and we will refer to it as "Uncle Eddies."

3 by an abandoned railway line owned by the State of Maryland and the Stonecrest subdivision. Appellees Christine and Scott Morral (collectively, "the Morrals") own lot 9 within Stonecrest, which is in close proximity to, but does not adjoin, Mr. Young's Parcel 3. Appellee Susan Selby owns lot 10 in the Stonecrest subdivision. Appellees Benjamin and Lisa Estes (collectively, "Estes") own property that adjoins property owned by Uncle Eddies to the north.[4]

On September 16, 2020, Mr. Young filed a "Complaint and Petition to Quiet Title and for Declaratory and Injunctive Relief" against Mr. Holder and all other interested parties (previously defined as the "Young Action") in the Circuit Court for Washington County. Mr. Young requested the court to declare that he owned Parcel 2 and Parcel 3 (collectively, "Parcels") by deed or by adverse possession. Mr. Young also sought a declaration stating that no other persons had a right or interest in the Parcels. Finally, Mr. Young sought injunctive relief prohibiting Mr. Holder and other interested litigants from entering the Parcels. Mr. Holder defensively claimed ownership of Parcel 3, in part or in its entirety, and ownership of the Gap, a strip of land he claimed abutted Parcel 3 based on the placement of "new iron pin monuments" and alleged boundary stones.[5]

[4] Mr. Holder discusses arguments involving boundary lines, which were previously resolved in litigation between himself and the Estes and appealed to this Court. *Holder v. Estes*, No. 61, Sept. Term 2023, 2024 WL 1975249 (Md. App. May 3, 2024), *cert. denied*, 488 Md. 394 (2024).

[5] Mr. Holder refers to his "Remaining Lands" throughout his original complaint and his brief, referencing his quitclaim deed that describes the "Remaining Lands" as "Remaining Lands of Parcel No. 3 Liber 659, folio 580[.]" The "Remaining Lands" are also referred to as "the Gap" in multiple appellees' briefs. Both terms refer to the same land claimed by Mr. Holder in the Young Action and this Action. At the resolution of the (continued)

While the Young Action was pending, Mr. Holder filed this Action on December 1, 2021, in the Circuit Court for Washington County, later amending on March 2, 2022.[6] The circuit court summarized Mr. Holder's Amended Complaint in this Action as claiming that "each of the [appellees], independently or jointly, have trespassed on the Gap or have otherwise interfered with his rights to use the Gap, access the Gap, or use alleged roads and ways to travel to and from the Gap."[7] Mr. Holder sought a judgment declaring the property boundary between Parcel 3 and the Stonecrest subdivision based on what Mr. Holder believed to be a stone marking a boundary between the properties. Mr. Holder also claimed that public roads existed on Mr. Young's property and that an easement by necessity existed across Parcel 3. Finally, Mr. Holder sought declaratory judgment against certain defendants' fencing.

All defendants moved to dismiss this Action. On April 7, 2022, the circuit court granted dismissals for 11 defendants, reasoning that Mr. Holder's "Amended Bill of

Young Action, the circuit court determined that there is no Gap between Mr. Young's Parcel 3 and the Stonecrest subdivision and that accordingly, Mr. Holder has no ownership rights as to the "Gap" or any "Remaining Lands[,]" because these lands do not exist.

[6] Mr. Holder originally filed a "Bill of Complaint" and later amended this petition on March 2, 2022, entitling it: "Amended - Bill Of Complaint - *Quia Timet* - For Declaratory Judgement Of Law, Injunctive Relief In Equity And Damages." As this is not a proper style of pleading, we will refer to this filing as Mr. Holder's "Amended Complaint."

[7] In his own words, Mr. Holder sought injunctive relief regarding Ejectment, Trespass, Private Nuisance, and Interference with an Easement. He also sought declaratory judgments regarding the placement of a stone monument (the "BQT Stone") that he alleged to be the starting point for a proper description of the Gap, an easement Mr. Holder claims exists by necessity, and the legality of certain appellees' fencing on the Gap.

Complaint [did] not state a valid cause of action against [those] defendants." Dismissal as to the remaining defendants, including Mr. Young, the Morrals, and Susan Selby, "was taken under advisement" because this Action implicated the same issues of land ownership as the Young Action. The circuit court ultimately stayed this Action on May 3, 2022, pending the resolution of the Young Action.

After a three-day trial in the Young Action, the circuit court held that "[Mr.] Young is the owner of his Parcel 3 . . . . In addition, the [] easement is terminated on [Mr.] Young's Parcel 3 and on the Stonecrest [subdivision] and the appurtenant forest conservation area." Based on its findings, the court entered a declaratory judgment in favor of Mr. Young, stating:

> **ORDERED,** the relief requested in [Mr.] Young's "Complaint and Petition to Quiet Title and for Declaratory and Injunctive Relief" is granted as indicated herein.
>
> **ORDERED,** [Mr.] Young is the owner of Parcel 1, Parcel 2, and Parcel 3 as shown on Plat 2499, one of the land records of Washington County, Maryland.
>
> **ORDERED,** no other person has any ownership interest or claim in Parcel l, Parcel 2, or Parcel 3.
>
> **ORDERED,** the western boundary of Parcel 3 as shown on Plat 2499 abuts and borders the eastern boundary of the Stonecrest development as shown on Plats 8292-93, as said plats are recorded in the Land Records of Washington County, Maryland. There is no additional strip of land or Gap between Parcel and the Stonecrest development.
>
> **ORDERED,** any deed purporting to transfer or quitclaim any part of Parcel l, Parcel 2, or Parcel 3 (as defined

> herein) to [Mr.] Holder or to any other person is invalid and void. [8]

The following day, the circuit court took notice of the ruling in the Young Action and dismissed this Action for failure to state a claim. Mr. Holder now appeals this dismissal.

QUESTIONS PRESENTED

Mr. Holder spends much of his brief arguing issues resolved in the Young Action and the previous appeals before this Court. *See Holder v. Young*, Nos. 1145 & 1457, Sept. Term 2022, 2023 WL 3674691 (Md. App. May 26, 2023) (affirming judgment as to ownership of Parcel 2 and Parcel 3, vacating and remanding as to Parcel 1); *cert. denied sub nom. Uncle Eddie's Brokedown Palace, LLC v. Young*, 485 Md. 141 (2023) and *cert. denied* 485 Md. 144 (2023), and *cert. denied*, No. 23-988, 2024 WL 2116308 (U.S. May 13, 2024); *Holder v. Young*, No. 883, Sept. Term 2023, 2024 WL 2794144 (Md. App. May 31, 2024). We decline to address those arguments which attempt to take yet another bite of the appellate apple in the Young Action. Accordingly, we have recast and rephrased the remaining questions as follows:[9]

[8] This Court affirmed all relevant findings in the Young Action, remanding only an issue related to Parcel 1. *Holder v. Young*, Nos. 1145 & 1457, Sept. Term 2022, 2023 WL 3674691 at *24-25 (Md. App. May 26, 2023), *cert. denied sub nom.*, 485 Md. 141 (2023) and *cert. denied*, 485 Md. 144 (2023).

[9] Mr. Holder presents the questions as follows:

> A. Did a genuine dispute of material fact exist in the record preventing summary judgment? If not, was the trial court legally correct to grant it *sua sponte*?

(continued)

B. Did the trial judge err or abuse its discretion if it took judicial notice without providing Appellant an opportunity to be heard after Appellant properly objected?

C. Is the trial court legally required to declare the rights of the parties? If so was the trial court's "dismissal with prejudice" legally incorrect?

D. Did Appellees waive or are they judicial/equitable estopped by limiting claims to a 12.2' wide parcel in case 371, when Appellant litigates a 25' wide Gap?

E. Did Appellee(s) acquiesce to Appellant's claims of roads of record, in accordance with RP § 14-619, when Young failed to join those claims in his case 371?

F. Can an easement by necessity be "fully and fairly litigated," if at all, when the trial judge prohibits all evidence of public roads whatsoever at trial?

G. When Young argued that Appellant was in privity with Stonecrest by merger, was he correct? If he was correct, is Young now judicial estopped from arguing otherwise? Is Young also in privity/merged with Stonecrest Appellee(s)?

H. If Young was incorrect in his argument of merger, is the judgment in his 371 case void from a jurisdictional flaw of the *in rem* property, or joinder defect?

I. Did the trial court err or abuse its discretion when it disregarded Appellant's jury demand, and decided, with no credible evidence of record to support its factual finding, public roads at issue were "ways that local government never built?"

J. Is the trial judge's legal conclusion, that existing public roads, "by the action of government in approving the Stonecrest Development, [were thereby] abandoned," consistent with applicable Maryland caselaw, or undisputed facts?

K. Was trial judge's representation that "Plaintiff asks this court to find a cause of action whereby he, as a private citizen, can sue other private citizens to open public roads,

(continued)

1. Whether the circuit court erred when it ordered a stay of the Holder Action pending the outcome of the Young Action.

2. Whether the circuit court erred in granting the motion to dismiss.

For the reasons that follow, we answer the questions in the negative and, therefore, affirm the circuit court's judgment.

DISCUSSION

I. THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION WHEN IT ORDERED THE MAY 3, 2022 STAY.

Mr. Holder argues that he was prejudiced by the circuit court's decision to stay the case while the Young Action proceeded to trial because it prevented him from developing the record. For the following reasons, we do not agree.

When reviewing a trial court's decision to stay a case, we consider whether the trial court abused its discretion. *Bechamps v. 1190 Augustine Herman, LC*, 202 Md. App. 455, 460 (2011). In other words, we will only overturn the trial court if "no reasonable person would take the view adopted by the trial court, the trial court ruling was clearly against the logic and effect of facts and inferences before the court, or when the ruling is violative of fact and logic." *Geier v. State Bd. of Physicians*, 223 Md. App. 404, 450 (2015) (cleaned up). "[C]ourts have inherent power to stay proceedings when the resolution of those proceedings could be impacted by other pending proceedings."

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lanes," an accurate characterization of Appellant's cause of action?

(alternations in original)

Bechamps, 202 Md. App. at 460. The decision to stay a case is fully within the discretion of the trial court. *Geier*, 223 Md. App. at 450. "[I]n a proper case[,] a court may stay proceedings pending the determination of another proceeding that may affect the issues raised." *Coppage v. Orlove*, 262 Md. 665, 666 (1971) (citation omitted).

A decision to stay a case while another parallel case is being considered is not only appropriate, but necessary. *Vaughn v. Vaughn*, 146 Md. App. 264, 279 (2002). In *Vaughn*, this Court found that when circumstances are "so clearly militated in favor of the court refraining from exercising jurisdiction over the [first] action until the [related second] action [is] concluded[,]" a trial court may abuse its discretion in denying a stay.[10] *Id*. at 280.

Here, the circuit court appropriately exercised its discretion to stay this Action while the Young Action proceeded to trial. The factual and legal issues in the Young Action were either identical or closely related to those in this Action. Therefore, because the findings in the Young Action were determinative in this Action, it was appropriate for the circuit court to stay this Action and first resolve the overlapping issues in the Young

[10] In *Vaughn*, a husband separately sued his wife for breach of contract and conversion amidst the parties' divorce action. 146 Md. App. at 267-68. The wife counterclaimed for conversion. *Id.* at 268. Thus, the parties were disputing the ownership and marital character of treasury bonds in both cases. *Id.* at 269. The wife argued that the court should stay the conversion case while awaiting the resolution of the divorce action. *Id.* To resolve this, rather than issue a stay, "the [circuit] court left to [the husband] the decision whether to go forward with the conversion claim[.]" *Id.* This Court held that the circuit court abused its discretion by not staying the action until the conclusion of the divorce action, because "the factual disputes surrounding [the contract and conversion case] plainly were relevant to the issues in the divorce action." *Id.* at 279-80.

Action. While Mr. Holder claims he was deprived of developing the evidentiary record in this Action due to the stay, evidence that Mr. Holder wished to file in either case would have supported the same claim: that Mr. Holder owned the Gap. The circuit court, however, considered and decided this exact issue in the Young Action. We accordingly conclude that the court's stay of this Action did not prevent Mr. Holder from developing the evidentiary record regarding the same ownership issue in the Young Action.

Mr. Holder's brief also alleges prejudice stemming from his inability to file evidence concerning a deed from Charles Blancato, his claim of alleged public nuisance, and issue of public roads.

First, as Mr. Holder notes in his reply brief, the circuit court admitted the Blancato Deed into the record in the Young Action, and more importantly, considered the Blancato deed in its order to dismiss this Action.

Second, Mr. Holder argues that, as a taxpayer, he should be allowed to file a public nuisance claim against the Morrals and Ms. Selby alleging that fences around their properties violate stormwater management regulations, but that the stay of this action improperly blocked his ability to add this claim explicitly.[11] Between the original complaint filed December 1, 2021, and the beginning of the stay on May 3, 2022, Mr. Holder did not amend his complaint to include a public nuisance cause of action. While

[11] Mr. Holder initially brought an additional claim against the Morrals and Ms. Selby, alleging their respective fencing violated stormwater management regulations and, therefore, violated his ownership rights in the Gap.

Mr. Holder did amend his complaint on March 2, 2022, he did not include any stormwater management claims in this amendment. On March 27, 2022, Mr. Holder sent identical letters to several government agencies detailing his public nuisance claims, but still failed to amend his complaint by May 3, 2022, when the stay was ordered.

Third, Mr. Holder contends that the existence of public roads was an issue for a jury to decide in the Young Action, and that the stay of this Action prevented him from updating the record regarding the roads' alleged existence. He argues this culminated in the decision to dismiss Count 4 ("Interference with an Easement").

The court, however, had already decided the public roads issue. The circuit court made a preliminary finding in the Young Action that Mr. Holder could not sue a private citizen to compel the government to open an abandoned, unused, closed, or otherwise unopened road. The court explained that "[i]f a public road exists, existed, or should exist on [Mr. Young's] land, such determination is to be made by Washington County or Town governments pursuant to the Maryland Code and local law." The court concluded that any claim about a public road was, therefore, without merit. In this Action, the circuit court reiterated that the proper forum for the claims regarding the existence of public roads is "the local legislative body or the subdivision appeal process." We therefore conclude that the same public roads issue was appropriately decided in the Young Action and addressed by the court in this Action, and ultimately, that the court properly ordered the May 3, 2022 stay.

II. THE CIRCUIT COURT PROPERLY DISMISSED THE HOLDER ACTION.

Mr. Holder argues that the circuit court erred when it granted the motions to dismiss this Action because he alleges the court considered matters outside the pleading. He argues that in so doing, the court converted the motions to dismiss into motions for summary judgment.[12] Mr. Holder takes issue with these alleged converted motions for summary judgment because he claims that the court considered them *sua sponte* and without a proper hearing. In brief, we hold that the motions to dismiss were not converted to motions for summary judgment when the judge impliedly took judicial notice of his own prior ruling, and that the court's dismissal was proper.

We review the grant of a motion to dismiss for failure to state a claim *de novo*. *Lamson v. Montgomery Cnty.*, 460 Md. 349, 360 (2018). "[W]e must determine whether the complaint, on its face, [states] a legally sufficient cause of action." *Schisler v. State*, 177 Md. App. 731, 743 (2007). Bald allegations and conclusory statements are insufficient to state a claim. *Sullivan v. Caruso Builder Belle Oak, LLC*, 251 Md. App. 304, 317 (2021). "We review the trial court's decision [to take judicial notice] under the 'clearly erroneous' standard, keeping in mind '[t]he principle that there is a legitimate range within which notice may be taken or declined and that there is efficacy in taking it,

[12] In relevant part, Maryland Rule 2-322(c) states:

> If, on a motion to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 2-501, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 2-501.

when appropriate.'" *Abrishamian v. Washington Med. Grp., P.C.*, 216 Md. App. 386, 413 (2014) (quoting *Smith v. Hearst Corp.*, 48 Md. App. 135, 141 (1981)).

A. Judicial Notice

We conclude that the remaining defendants' motions to dismiss were not converted into motions for summary judgment.[13] "[I]t is proper for a trial court to decide a motion to dismiss without converting it to a motion for summary judgment when the court considers, or does not exclude, materials that are central to the allegations in the complaint." *Heneberry v. Pharoan*, 232 Md. App. 468, 476 (2017). For decades, this Court has recognized trial courts' ability to "[take] judicial notice of matters of record in other cases in the same court." *Irby v. State*, 66 Md. App. 580, 586 (1986). "[T]aking judicial notice of matters of record in other cases in the same court is simply an application of the [] principle that matters susceptible of judicial notice include facts capable of immediate and accurate demonstration by resort to easily accessible sources of indisputable accuracy." *Id.* at 586 (adopting language from *People v. Davis*, 357 N.E.2d 792 (Ill. 1976) (other citations omitted)). Thus, "when a trial judge takes judicial notice of an original court record from the circuit court [where] he or she presides, authenticity of the record is established." *Irby*, 66 Md. App. at 587.

Significantly, the Maryland Rules also allow trial courts to take notice of the adjudicative facts from prior cases "whether requested or not" and "at any stage of the

[13] It is unclear if Mr. Holder is challenging only one of the remaining defendants' motions to dismiss or all of the remaining defendants' motions to dismiss. As the September 7, 2022 order dismissed the case against all the remaining defendants, we address the circuit court's dismissal of all of the motions to dismiss.

proceedings." Md. Rule 5-201(c), (f). "Many different types of information can fall under the umbrella of judicial notice, most commonly public records such as court documents[.]" *Abrishamian*, 216 Md. App. at 413.

Here, the circuit court was well within its authority to take notice of its ruling in the prior Young Action while considering the motions to dismiss in this Action. The court took notice of its own order in the Young Action, filed one day prior, to determine whether this Action contained claims for relief which can be granted. In its order dismissing the remaining defendants in this Action, the court noted that because it previously "determined [Mr. Holder] does not own such land [the Gap] . . . [the complaint in this Action] fails to state a claim upon which relief can be granted." Accordingly, we conclude that the trial court correctly treated the remaining defendants' motions as motions to dismiss rather than converting them to motions for summary judgment, and otherwise did not err in taking notice of records and its order in the prior Young Action.

B. Failure To State A Claim Upon Which Relief Can Be Granted

As they are outlined in his brief, Mr. Holder's arguments in this Action rest on the identical ownership dispute at issue in the Young Action. For reasons explained below, considering the circuit court's findings in the Young Action, namely, that Mr. Young owns all of Parcel 3 and that no Gap exists, we hold that the circuit court correctly dismissed this Action for failure to state a claim upon which relief can be granted.

In its order granting dismissal of this Action, the circuit court ruled on each of the eight counts for the remaining defendants. The court, in its individual explanation for

each of these counts, reasoned that as Mr. Holder's "claim [] hinges on his ownership of the Gap, and [as] this court [] determined [Mr. Holder] does not own such land, [Mr. Holder] fails to state a claim upon which relief can be granted."

On appeal, Mr. Holder's claim that he "has a deed, [which] was adjudicated and found to be good title in the Young 371 case," is not supported by the record. In the Young Action, the court found that "any deed purporting to transfer or quitclaim any part of [] Parcel 3 (as defined herein) to [Mr.] Holder or to any other person is invalid and void[,]" and further stated in its opinion that "all three quitclaim deeds are invalid as against [Mr. Young's] ownership." In deciding whether to dismiss this Action, the court properly determined that it could not grant relief regarding Mr. Holder's claimed ownership of Parcel 3, because the ownership of Parcel 3 was resolved in Mr. Young's favor in the prior Young Action.

We decline to address Mr. Holder's arguments insofar as they attempt to relitigate issues decided in a case not challenged by the instant appeal. Rather, we hold only that the circuit court appropriately dismissed this Action because the prior Young Action resolved the claims presented here.

C. Right To A Hearing

Mr. Holder also argues that "[t]he trial court denied Mr. Holder any right to be heard whatsoever, and denied him due process in so doing." In support of this argument, Mr. Holder cites to Maryland Rule 5-201(e), which states in relevant part: "Upon timely request, a party is entitled to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. Without prior notification, the request

may be made after judicial notice has been taken." Mr. Holder, however, did not request a hearing regarding judicial notice until this appeal. While Mr. Holder filed a Motion to Alter or Amend Judgment after the dismissal of this Action, however, this motion does not request a Rule 5-201(e) hearing, but rather argues only that "the [circuit c]ourt relied on a September 6th, 2022 order in [the Young Action,] which is not a final judgment and has no collateral effect on the facts in this [Action]."

While Mr. Holder does not cite to Maryland Rule 2-311(f), nonetheless, he was entitled to a hearing under the rule, which states: "[T]he court may not render a decision that is dispositive of a claim or defense without a hearing if one was requested[.]" That said, "we see no purpose of remanding the case to the circuit court to hold a hearing when the court's dismissal of appellant's petition is mandated by law. Such a remand would be an exercise in futility and a waste of judicial resources." *Morris v. Goodwin*, 230 Md. App. 395, 410-11 (2016). Therefore, if "no practical purpose would be served by remanding [a] matter for a hearing[,]" then we will not do so. *Briscoe v. Mayor & City Council of Baltimore*, 100 Md. App. 124, 128 (1994).

Here, the circuit court held five hearings addressing five of the six motions to dismiss this Action before ordering the stay on May 3, 2022. After Mr. Holder filed his original complaint in this Action on December 1, 2021, in January and February 2022, several named defendants filed motions to dismiss. Mr. Holder filed oppositions and requested a hearing on each motion. Mr. Holder then amended his complaint on March 2, 2022, and Mr. Young filed a motion to dismiss the Amended Complaint on the same

day. Several defendants subsequently filed motions to dismiss the Amended Complaint, and all were opposed by Mr. Holder, who again requested hearings.

On March 11, 2022, four hearings were held regarding defendants John and Kristen Picketts, the Estes, the Washington County Board of Commissioners, and the Town of Keedysville. A fifth hearing concerning Ms. Selby's motion to dismiss this Action was held on March 24, 2022. During this hearing, the court noted that multiple issues in this Action would hinge upon the results of the trial in the Young Action.[14]

On June 23, 2022, the circuit court concluded a three-day trial in the Young Action. The court issued a written opinion and order on September 6, 2022, in which the

[14] The court emphasized this Action's dependence on the outcome of the Younger Action in an exchange with Mr. Holder:

> [MR. HOLDER]: Which is why Count 5 brings rise to this whole proceeding. In Count 5 we decide it would bring rise to the *Estes* and *Young* case.
>
> [THE COURT]: And that's going to be decided in the *Estes* [and] *Young* case.
>
> [MR. HOLDER]: Which one?
>
> [THE COURT]: Either of them.
>
> [MR. HOLDER]: And take the possibility of two incompatible results that I'm bound to? How do I even litigate?
>
> [THE COURT]: I guarantee you, you are going to be in front of me on both [the Young Action and the separate trial involving Mr. Estes] so you got one judge making one decision.
>
> [MR. HOLDER]: So, you'll bind yourself to whatever you decide in Young?
>
> [THE COURT]: Whatever I decide is, is general *res judicata* in any other case.

court found that "there is no [G]ap between [the Stonecrest subdivision's and Mr. Young's] properties[,]" and that "[t]he deeds and plats, taken together, indicate that [Mr. Young] is the record owner of Parcel 3[.]" The next day, the court addressed each remaining count in the this Action, finding that as each claim "hinges on [Mr. Holder's] ownership of the Gap, and this court having determined [Mr. Holder] does not own such land . . . [this Action] fails to state a claim upon which relief can be granted."

Even if we conclude that the circuit court erred in not holding another hearing specifically addressing Mr. Young's motion to dismiss this Action, "no practical purpose would be served by remanding this matter for a hearing." *Briscoe*, 100 Md. App. at 128. Mr. Holder ultimately seeks to challenge the outcome of the Young Action in the present appeal. Mr. Holder filed a Motion to Alter or Amend Judgment regarding the circuit court's September 7, 2022 order, which dismissed this Action. Mr. Holder stated:

> The [circuit c]ourt entered an order dismissing the instant case 1 day after the *Young v*[.] *Holder* case, leveraging its decision thereon. This allows for no due process for the Plaintiff in the instant case, once he is found to be secure in his claims by a superior court in the Young case.

In the Young Action, the circuit court found that no Gap exists, and that Mr. Young is the owner of Parcel 3, which was twice affirmed by this Court. *See Holder v. Young*, Nos. 1145 & 1457, Sept. Term 2022, 2023 WL 3674691, at *31 (Md. App. May 26, 2023), *cert. denied sub nom.*, 485 Md. 141 (2023), *cert. denied*, 485 Md. 144 (2023) (affirming judgment as to ownership of the Parcels, vacating and remanding "to revise its declaratory judgment by removing any mention of Parcel 1[.]"); *Holder v. Young*, No.

883, Sept. Term 2023, 2024 WL 2794144 (Md. App. May 31, 2024) (affirming the circuit court's revision regarding language in its order regarding Parcel 1).

Thus, we conclude that even if the circuit court erred under Maryland Rule 2-311(f), remanding for new hearing would be a "waste of judicial resources" and serve "no practical purpose" other than to relitigate the merits of the Young Action. *Morris*, 230 Md. App. at 410-11; *Briscoe*, 100 Md. App. at 128.

CONCLUSION

We hold that the circuit court did not abuse its discretion when it stayed this Action pending the outcome of the Young Action. The court correctly considered the outcome of the Young Action at the motion to dismiss stage of the proceedings, did not convert the motions to dismiss to motions for summary judgment, and did not otherwise err in dismissing this Action when it applied the findings of the Young Action. We, therefore, affirm.

JUDGMENT OF THE CIRCUIT COURT FOR WASHINGTON COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.