

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1815

September Term, 2023

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EDWIN DRUMMOND, *et al.*

v.

WILLIAM M. SAVAGE, *et al.*

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Zic,  
Tang,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: June 3, 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 February 2023, William M. Savage, Gregory N. Britto, and Wayne Anthony Holman, appellees, acting as substitute trustees, filed an Order to Docket in the Circuit Court for Anne Arundel County, seeking to foreclose on real property owned by Edwin and Angela Drummond, appellants. The property was sold at a foreclosure auction on July 25, 2023. The Drummonds filed exceptions to the sale that were denied by the court on October 18, 2023. They filed a notice of appeal from that order on November 16, 2023. Appellees have filed a motion to dismiss the appeal as having been taken from a non-appealable interlocutory order.

With limited exceptions that do not apply here, an appeal may be taken only from a final judgment. Cts. & Jud. Proc. § 12-301. The order denying the Drummonds’ exceptions to the sale was not a final judgment. *See McLaughlin v. Ward*, 240 Md. App. 76, 83 (2019) (“[i]n a foreclosure case, a court does not enter a final judgment at least until it has ratified the foreclosure sale”).<sup>1</sup> Consequently, we hold that their appeal is premature and must be dismissed.<sup>2</sup>

**APPELLEES’ MOTION TO DISMISS  
GRANTED. COSTS TO BE PAID BY  
APPELLANTS.**

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<sup>1</sup> Although Sections (d) and (e) of Maryland Rule 8-602 contain limited savings provisions for premature appeals, neither of those provisions apply in this case. Moreover, the Drummonds did not file a new notice of appeal after the court entered its final judgment ratifying the sale on February 9, 2024.

<sup>2</sup> The record also indicates that the property was purchased by a *bona fide* purchaser who certified under penalty of perjury that he was not acting as an agent for someone else, that there were no other interested principals, and that he did not discourage anyone else from bidding on the property. Moreover, there is no indication that appellants posted a

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*supersedeas* bond upon the filing of the present appeal, or that the circuit court held a hearing to fix the bond amount. Consequently, in the absence of a *supersedeas* bond, the present appeal is also moot and must be dismissed for that reason as well. *See Mirjafari v. Cohn*, 412 Md. 475, 484 (2010) (“[I]f [a] property is sold to a *bona fide* purchaser in the absence of a *supersedeas* bond,” a subsequent “appeal becomes moot” because “a reversal on appeal would have no effect.” (quotation marks and citation omitted) (italics added)).