

Circuit Court for Prince George's County
Case No. CAEF17-06277

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2424

September Term, 2018

EVELYN M. PARKER

v.

LAURA H.G. O'SULLIVAN, *et al.*,

Fader, C.J.
Reed,
Shaw Geter,

JJ.

Opinion by Reed, J.

Filed: July 1, 2020

*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.

On March 9, 2017, an action was initiated with the filing of an Order to Docket Foreclosure by Laura H.G. O’Sullivan, et al., as Substitute Trustees for Freedom Mortgage Corporation (“Appellees”) against Evelyn M. Parker (“Appellant”). The foreclosure action involved a residential unit located at 6702 Calmos Street, Capital Heights, Maryland 20743 (“the Property”). The Order to Docket was posted on the front door of the Property on March 22, 2017 and mailed via certified mail and first-class mail on March 24, 2017. On May 30, 2017, the circuit court granted Appellees’ motion for Judgment Awarding Possession Prior to Ratification. On August 7, 2018, a final order ratifying judgment was entered, from which Appellant files this timely appeal. Appellant presents two questions for our review, which we have rephrased for clarity:¹

- I. Did Appellees give Appellant proper notice of the foreclosure action?
- II. Did the trial court err when they granted Appellees’ Motion for Judgment Awarding Possession?

Finding no error, we affirm the circuit court.

FACTUAL AND PROCEDURAL BACKGROUND

Appellant owned the Property, which was encumbered by a deed of trust with

¹ Appellant presents the following question:

1. Whether the Circuit Court erred in proceeding with the foreclosure proceedings when the Appellees failed to properly serve Appellant with the Order to Docket?
2. Whether the Order issued by the Circuit Court awarding Appellees with possession of the Property is valid and enforceable when the foreclosure proceedings were based upon inaccurate documents?

Freedom Mortgage Corporation, who was entitled to enforce the terms and conditions of that instrument in the event of a default on the note. On August 11, 2016, Appellees mailed a Notice of Intent to Foreclose on the Property to Appellant. Appellant confirms that at all times during the foreclosure proceedings, she did occupy the Property and did not reside elsewhere. On March 9, 2017, Appellees initiated the foreclosure proceeding against the Appellant by filing an Order to Docket with the circuit court. After two unsuccessful attempts at personally serving Appellant, on March 22, 2017, Appellees posted the Order to Docket on the door of the Property. Two days after, on March 24, 2017, Appellees sent a copy of the Order to Docket via first-class and certified mail, with return receipt requested. On March 28, 2017, an additional Notice of Intent to Foreclose was addressed and mailed to “All Occupants” residing at the property. On April 10, 2017, Appellees filed two affidavits of special process, Affidavit of Good Faith Attempts and an Affidavit of Proof of Posting and Mailing.

On October 12, 2017, Appellees sent Appellant the Final Loss Mitigation Affidavit and Request for Mediation Form by first-class, certified mail, return receipt requested, with no response. The Notice to Occupants of Foreclosure Sale Date was mailed to Appellant on December 5, 2017, and the Property was sold on December 26, 2017. In an effort to take possession of the Property, Appellees filed a Reasonable Inquiry Affidavit Pursuant to Rule 14-102(b)(1)(B), attempting to determine the occupancy status of the Property. On three consecutive days in January of 2018, Appellees sought to make contact with Appellant and/or the unknown occupants at the Property through a process server. On January 22, 2018, at 6:44pm, the process server wrote under oath:

Nobody responded when I knocked on the door. Personal belongings are outside in the car port. I could also see inside the first room of the home. It too had personal belongings. I spoke to a neighbor who told me she thinks an olde [sic] lady lives at the home. She didn't know her name. Shantell [the neighbor] told me that she's unsure if the lady has a car.

The following day, on January 23, 2018 around midday (12:13pm), another visit was made to the Property and it was recorded by the process server that:

I knocked on the door, nobody responded. I also knocked on the door of 6704 which is next door. They too did not answer. I left my contact information on the front door. I was able to see more of the personal property in the daylight.

On the last day of visits to the Property, the process server visited in the morning, at 9:43am, knocked on the door and noted:

My contact card was gone from the door. There was a light on in one of the front rooms. No lights have been on before. A gas grill is under the car port. The door to the side of the home was cracked open. I could not knock on that door, the back yard is fenced in, the gate is padlocked. It also looked like a covered motorcycle was parked in the backyard as well as a lawn mower.

On February 8, 2018, Notice to Occupants that Were Not a Party to the Foreclosure Action and a Motion for Judgment Awarding Possession was filed with the circuit court and mailed by certified mail to Appellant. Within a week, on February 13, 2018 at 1:00pm, a process server stated under oath that he individually and personally served an unknown occupant at the Property with the Motion for Judgment Awarding Possession and supplemental documents with the motion.² The process server described the individual he

² The process server also served the Certificate of Service, Affidavit, Affidavit of Service, Proposed Order Granting Motion for Judgment Awarding Possession, Notice to Occupants that Were Not a Party to the Foreclosure Action, Eviction Occupancy Status, Non-Military Confirmation, and the Final Order for Ratification.

served the documents to as an African American female with black hair, within the age of 60-65, between 5'4" – 5'7" in height and around 150-174 lbs. On May 30, 2018, the circuit court granted Appellee's Motion for Judgment Awarding Possession Prior to Ratification. The Order of Ratification of Report was signed by the circuit court on August 7, 2018. This appeal followed.

DISCUSSION

A. Parties' Contentions

Appellant argues that Appellees failed to serve Appellant pursuant to the Maryland Rules on Real Property. Particularly, Appellant maintains that her due process rights were violated because (1) she was not served by personal service, (2) Appellees did not file a valid Certificate of Service for the certified mail attempt because the return receipt card was never signed nor returned to Appellees, and (3) she did not receive actual notice of the Order to Docket or any documents in this matter. Additionally, Appellant asserts that the court improperly granted possession of the property because the information presented to the court to initiate the foreclosure proceedings was inaccurate, alleging that the Appellees engaged in fraud.

Appellees contend that Appellant was properly served with the Order to Docket, and that Appellant is attempting to read an actual notice standard into the statute by alleging that foreclosure plaintiffs must sign and return the certified mail receipts. Additionally, Appellees submit that Appellant has unequivocally waived her arguments regarding the foreclosure ratification because she failed to pursue them in the circuit court. Appellees point out that Appellant admits that she did in fact receive paperwork regarding late or

default payments in 2016. Appellees claim that despite Appellant having knowledge of the potential of foreclosure proceedings, as well as being provided notice of the initiated foreclosure proceedings on at least eleven separate occasions at the only place of residence of record for the Appellant, the Property, Appellant failed to appear before the circuit court to raise the arguments she now attempts to advance for the first time on appeal, and is thus barred from raising the unpreserved issue now.

B. Standard of Review

As outlined by Md. Rule 8-131, “When an action has been tried without a jury, the appellate court will review the case on both the law and the evidence. It will not set aside the judgment of the trial court on the evidence unless clearly erroneous, and will give due regard to the opportunity of the trial court to judge the credibility of the witnesses.” Md. Rule 8-131(c); *see also Gen. Motors Corp. v. Schmitz*, 362 Md. 229, 233 (2001); *Spector v. State*, 289 Md. 407, 433 (1981). The Court of Appeals has held that “The appellate court must consider evidence produced at the trial in a light most favorable to the prevailing party and if substantial evidence was presented to support the trial court’s determination, it is not clearly erroneous and cannot be disturbed.” *Gen. Motors Corp.*, 362 Md. at 233-234 (quoting *Ryan v. Thurston*, 276 Md. 360, 390 (1975)). However, when the trial court’s ruling “involves an interpretation and application of Maryland statutory and case law,” appellate courts are required to “determine whether the lower court’s conclusions are legally correct, under a *de novo* standard of review.” *Nesbit v. Gov’t Empl. Ins. Co.*, 382 Md. 65, 73 (2004).

C. Analysis

Motion to Dismiss

As a preliminary point, Appellees declare that this appeal should be dismissed, as Appellant’s corrected brief does not comply with this Court’s order on August 28, 2019, which states that Appellant’s brief must “omit . . . any and all references to the documents that were improperly included in the record extract.” Notwithstanding this Court’s August 28, 2019 order, Appellees note that Appellant’s corrected brief also does not comply with the Maryland Rules or standards of appellate practice. We begin our analysis with Rule 8-602(c), which states:

(c) When Discretionary. The court may dismiss an appeal if:

(4) the contents of the record do not comply with Rule 8-413;

(6) the style, contents, size, format, legibility, or method of reproduction of a brief, appendix, or record extract does not comply with Rules 8-112, 8-501, 8-503, or 8-504.

Appellees contend that while Appellant was given the opportunity to cure the deficiencies in her brief and record extract, Appellant’s corrected brief continues to reference the same documents that we deemed to be “improperly included” in the record extract as “documents that were not before the circuit court for consideration and to which the Appellant improperly cites in her brief.” In filing her corrected brief, Appellant simply took references to the record extract out, but left in the same arguments, in violation of Md. Rule 8-504(a), since the corrected brief then contained statements of fact that were not supported by any citation or reference to the record.

We agree with Appellees that Appellant committed a violation of the rules of appellate procedure. We first take note that Appellant was late filing her original brief and record extract, after stipulating to a two-week extension that her brief and record be filed on July 22, 2019. Appellant did not file her brief and record until eight days later, on July 30, 2019, citing printing issues. After being given an additional three weeks to correct the deficiencies in her brief, Appellant filed a corrected brief that makes the same arguments and factual assertions that were contained in her stricken brief, just without any reference to the record or any form of support for her claims. Md. Rule 8-504(a) states in relevant part:

(a) Contents. A brief shall comply with the requirements of Rule 8–112 and include the following items in the order listed:

(4) A clear concise statement of the facts material to a determination of the questions presented . . . *[r]eference shall be made to the pages of the record extract supporting the assertions.*

Appellant’s corrected brief blatantly does not comply with Md. Rule 8-504(a)(4). Within eight pages and ten paragraphs throughout the “Statement of Argument”, “Statement of Facts” and “Argument” sections of Appellant’s corrected brief, Appellant provides only two references to the record extract to support her facts asserted. There are no citations to any part of the record that sustains many of Appellant’s substantive claims whatsoever.

This Court acknowledges that “dismissing an appeal on the basis of an appellant’s violations of the rules of appellate procedure is considered a ‘drastic corrective’ measure.” *Rollins v. Capital Plaza Associates, L.P.*, 181 Md. App. 188, 202 (2008) (quoting *Brown*

v. Fraley, 222 Md. 480, 483 (1960)). “We also are mindful that reaching a decision on the merits of a case ‘is always a preferred alternative.’” *Id.* (quoting *Joseph v. Bozzuto Mgmt. Co.*, 173 Md. App. 305, 348 (2007)). Generally, unless there is prejudice to the Appellee or a deliberate violation of the appellate practice rules, this Court is not inclined to dismiss an appeal. *Id.* at 202–03. While in *Rollins*, we found there to have been “substantial violations of the appellate rule”, *Id.* at 203, Appellees have neither outlined that they were prejudiced by Appellant’s corrected brief, nor noted a delay in the ability to address the issues presented on appeal. Additionally, Appellees do not allege that Appellant was deliberate in violating the rules; quite frankly, it appears that Appellant simply did not understand the directive in our August 28, 2019 order.

Nevertheless, we do not excuse Appellant’s lack of citation to the record, in violation of Md. Rule 8-504(a)(4). As traditionally held by this Court, “[w]e cannot be expected to delve through the record to unearth factual support favorable to [the] appellant.” *von Lusch v. State*, 31 Md. App. 271, 282 (1976), *rev’d on other grounds*, 279 Md. 255 (1977) (internal quotation omitted). In *Rollins*, we declined to consider several pages of the procedural facts that failed to provide citation to the record or record extract. *Id.* at 201. Therefore, while we do not deem Appellant’s violation of Md. Rule 8-504(c) prejudicial enough to warrant dismissal of the appeal, we decline to consider any reference to facts in Appellant’s corrected brief that are not supported by the record, record extract, or were not actually considered by the trial court.

Proper Service

In foreclosure proceedings, “there is a presumption that the sale was fairly made[,]” with the “burden of showing that the sale was invalid and that any claimed errors caused prejudice” on the party alleging issue. *Hood v. Driscoll*, 227 Md. App. 689, 696-97 (2016) (quoting *Burson v. Capps*, 440 Md. 328, 342-43 (2014)). Appellant argues that her due process rights were violated when the Appellees did not personally serve her with the Order to Docket. She maintains that not only was she not personally served, but no return receipt was ever signed or filed with the Court and she did not have actual notice of any documents left on or around the Property, which Appellant believes is in violation of Md. Code Ann., Real Property (“Real Prop.”), § 7-105.1(h)(5). In response, Appellees assert that Appellant is mistaken in her understanding of Real Prop. § 7-105.1, and cites *Griffin v. Bierman*, 403 Md. 186 (2008) as dispositive of their contention that service was adequate. We agree with the Appellees.

Real Prop. § 7-105.1 outlines the notice requirements prior to the sale of property in foreclosure actions, while Md. Rule 14-209 regulates notice when a foreclosure action has commenced. Real Prop. § 7-105.1(h)(1)(i) indicates that:

(h)(1) A copy of the order to docket or complaint to foreclose on residential property and all other papers filed with it in the form and sequence as prescribed by regulations . . . shall be served on the mortgagor or grantor by:

(i) Personal delivery of the papers to the mortgagor or grantor.

If personal service is unsuccessful, the statute states:

(5) If at least two good faith efforts to serve the mortgagor or grantor under paragraph (1) of this subsection on different days have not succeeded, the plaintiff may effect service by:

(i) Filing an affidavit with the court describing the good faith efforts to serve the mortgagor or grantor; and

(ii) 1. Mailing a copy of all the documents required to be served under paragraph (1) of this subsection by certified mail, return receipt requested, and first-class mail to the mortgagor's or grantor's last known address and; and

2. Posting a copy of all the documents required to be served under paragraph (1) of this subsection in a conspicuous place on the residential property subject to the mortgage or deed of trust.

Real Prop. § 7-105.1(h)(5). In like fashion, Md. Rule 14-209 prescribes:

(a) **Service on Borrower and Record Owner by Personal Delivery.** When an action to foreclose a lien on residential property is filed, the plaintiff shall serve on the borrower . . . a copy of all papers filed to commence the action . . . by personal delivery of the papers.

Md. Rule 14-209(a). If personal delivery is attempted to no avail, the rule advises that:

(b) **Service on Borrower and Record Owner by Mailing and Posting.** If on at least two different days a good faith effort to serve a borrower . . . pursuant to section (a) of this Rule was not successful, the plaintiff shall effect service by (1) mailing, by certified and first-class mail, a copy of all papers filed to commence the action, accompanied by the documents required by Code, Real Property Article, 7-105.1 (h), to the last known address of each borrower . . . and (2) posting a copy of the papers in a conspicuous place on the residential property. Service is complete when the property has been posted and the mailings have been made in accordance with this section.

Md. Rule 14-209(b). Essentially, both Real Prop. § 7-105.1(h) and Md. Rule 14-209 mandate that first, personal delivery of the notice of foreclosure action be attempted on the borrower, but if these efforts are unavailing, service can be completed by mailing the notice through certified and first-class mail, along with posting the notice on the residential property.

Appellees attempted to personally serve Appellant at the Property on March 21st and March 22nd of 2017. When the process server was unable to personally serve the Appellant on March 22, 2017, the notice of foreclosure action was posted on the front door of the Property, and thereafter, the notice was mailed to the Appellant via certified and first-class mail, on March 24, 2017. Appellees' actions comply with Real Prop. § 7-105.1(h) and Md. Rule 14-209.

Appellant also alleges that the Affidavit of Service filed with respect to the Order to Docket was insufficient, as the individual who filed the Affidavit did not receive a signed, returned receipt from Appellant demonstrating that service had been effectuated. Md. Rule 14-209 addresses the evidentiary requirements for proof of service:

(e) Affidavit of Service, Mailing, and Notice.

(2) *Service by an Individual Other Than a Sheriff.* If service is made by an individual other than a sheriff, the affidavit shall include, in addition to other requirements contained in this section, the name, address, and telephone number of the affiant and a statement that the affiant is 18 years of age or older.

(4) *Contents of Affidavit of Service by Mailing and Posting.* An affidavit of service by mailing and posting shall (A) describe with particularity the good faith efforts to serve the borrower or record owner by personal delivery; (B) state the date on which the required papers were mailed by certified and first-class mail and the name and address of the addressee; and (C) include the date of the posting and a description of the location of the posting on the property.

Md. Rule 14-209(e). There is no requirement in the Maryland rules that a receipt must be signed and returned in order to perfect service. *See also* Real Prop. § 7-105.1(h)(5). Md. Rule 14-209(e) simply requires information on the affiant, good faith efforts made to serve

Appellant, the dates service was attempted, the address for the posting and mailing, and a description of the location of the posting. The Affidavit of Service filed with the district court on April 10, 2017 satisfies the requirements of the statute, stating the following:

Veronica Williams, the undersigned, certify that I am over eighteen years of age and that I am neither the Plaintiff nor the Defendant and that I am a disinterested in the above captioned action.

That on **03/22/2017**, at **8:47 PM**, I Attempted to Serve a true copy of the **NOTICE OF FORECLOSURE ACTION (1ST DOCUMENT IN SEQUENCE), PRELIMINARY LOSS MITIGATION AFFIDAVIT (2ND DOCUMENT IN SEQUENCE), LOSS MITIGATION APPLICATION AND THE ORDER TO DOCKET WITH ATTACHMENTS FILED WITH THE PRINCE GEORGE’S COUNTY CLERK’S OFFICE** upon **EVELYN PARKER** at **6702 CALMOS STREET, CAPITOL HEIGHTS, MD 20743** for the reasons detailed below.

Attempts were made on **EVELYN PARKER** at the aforementioned address on: **03/21/2017** at **9:38 AM** – **Property is described as a two story single family home with a white front door. Service attempted, no activity, no response, not served.** **03/22/2017** at **8:47 PM** – **Service attempted, no activity, no response, not served. Posted and mailed.**

That on **03/22/2017** at the following times and locations pursuant to Maryland Real Property Article Section 7-105.1 and Maryland Rules of Procedure 14.209, the copies of the above listed documents were **POSTED** at **8:47 PM** at the address of **6702 CALMOS STREET, CAPITOL HEIGHTS, MD 20743**.

Comments: **PROPERTY IS A SINGLE FAMILY HOME; POSTED ON FRONT DOOR OF PROPERTY**

I HEREBY CERTIFY that on 03/24/2017 a copy of the above referenced documents were mailed by CERTIFIED MAIL, return receipt requested, bearing the receipt number of 70162140000041697932³ and by FIRST-

³ Appellant also argued that she attempted to search the tracking number for the certified mail receipt mailed on 03/24/2017, and could not find it, asserting that this also indicates that the Order to Docket was never served. However, the USPS website states that tracking information for certified mail is only retained for “two years from the date of mailing”.

CLASS MAIL, postage prepaid, addressed to EVELYN PARKER at 6702 CALMOS STREET, CAPITOL HEIGHTS, MD 20743.

(emphasis in original). We reject Appellant’s speculative argument that there needs to be “objective indicia” that Appellees actually mailed the documents as they are sworn to have done in the Affidavit. We find no error in the Affidavit of Service.

Furthermore, Appellant asserts that actual notice is required for there to be compliance with Real Prop. § 7-105.1(h) and Md. Rule 14-209. This is a grave misinterpretation of the statute and the applicable case law. To be clear, in *Griffin v. Bierman*, the Court of Appeals had to determine whether Appellees provided the mortgagor with adequate notice regarding a residential foreclosure and the foreclosure sale that followed. *Griffin v. Bierman*, 403 Md. 186, 194-95 (2008). When the trial court found that the mortgagor has been notified of the property sale when the purchaser posted the notice on the subject property, the mortgagor claimed that her due process rights were violated for lack of notice. *Id.* at 194. Notably, the mortgagor argued that because the certified mail notice had been returned to the Appellees “unclaimed,” the mortgagor claimed they never received the required notice according to Real Prop. § 7-105.1. *Id.* at 192-93.

In holding that notice was sufficient, the Court of Appeals held that “[a]n elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their

What is Certified Mail?, USPS.COM, <https://faq.usps.com/s/article/What-is-Certified-Mail> (last visited on Feb. 9, 2020).

objections.” *Griffin*, 403 Md. at 197 (quotation marks and citation omitted). In addressing the Supreme Court’s directive about actual notice, Maryland’s high Court acknowledged that “[i]t is well settled that due process of law is not violated ... because the interested party did not receive actual notice.” *Id.* at 208 (internal citations omitted); *see also Jones v. Flowers*, 547 U.S. 220, 226 (2006), *Dusenbery v. United States*, 534 U.S. 161, 170 (2002). Instead of actual notice, “[t]he proper inquiry is whether the state acted reasonably in selecting means likely to inform persons affected, not whether each property owner actually received notice.” *Griffin*, 403 Md. at 197 (quotation marks and citation omitted).

The record in this case shows that on *at least eleven different* occasions, Appellees mailed, either by first-class, certified or both, and posted multiple notices addressed to Appellant regarding the impending foreclosure action and the subsequent foreclosure proceeding. Appellant neither refutes that she was in fact living at the Property at all times during the foreclosure proceedings, nor denies that 6702 Calmos Street Capital Heights, Maryland 20743 is her address for mailing purposes. Appellant also does not provide evidence to combat the fact that someone at her address was in fact served with the Motion for Judgment Awarding Possession and accompanying documents on February 13, 2018. Appellant has presented no evidence that could aid this Court in determining that she did not receive the numerous notices sent to and posted on the Property regarding the foreclosure proceedings, other than unsubstantiated allegations of fraud. Therefore, because neither personal service nor actual notice is mandated for due process considerations in foreclosure proceedings, we find that Appellees did act reasonably to provide sufficient notice of the foreclosure action and proceedings, by posting the notice

on the Property and mailing the notice, first-class, certified mail, in accordance with Real Prop. § 7-105.1 and Md. Rule 14-209.

Ratification of the Foreclosure Sale

Md. Rule 8-131 is dispositive on our review of the ratification of the foreclosure sale in this case, and states:

Ordinarily, the appellate court will not decide any other issue unless it plainly appears by the record to have been raised in or decided by the trial court, but the Court may decide such an issue if necessary or desirable to guide the trial court or to avoid the expense and delay of another appeal.

Md. Rule 8-131(a). The Court of Appeals has addressed the compelling objective of Md. Rule 8-131, observing:

The purpose of Md. Rule 8-131(a) is to ensure fairness for all parties in a case and to promote the orderly administration of law. . . For those reasons, Md. Rule 8-131(a) requires an appellant who desires to contest a court’s ruling or other error on appeal to have made a timely objection at trial. The failure to do so bars the appellant from obtaining review of the claimed error, as a matter of right.

Robinson v. State, 410 Md. 91, 103 (2009) (internal citations omitted). The permissive language in Md. Rule 8-131(a) would enable this Court to address Appellant’s unpreserved argument, although this discretion “should rarely [be] exercised.” *Hartman v. State*, 452 Md. 279, 299 (2017). In consideration of Md. Rule 8-131(a)’s “twin goals,” appellate courts must weigh (1) “whether the exercise of its discretion will work unfair prejudice to either of the parties” and (2) “whether the exercise of its discretion will promote the orderly administration of justice.” *Jones v. State*, 379 Md. 704, 714-15 (2004).

We hold here that Appellees would be unfairly prejudiced, as the “validity” of Appellant’s argument on appeal “depends on evidence not adduced at the trial level.” *Jones*

v. State, 379 Md. at 714. Appellant did not appear at the trial proceeding, and therefore none of Appellant’s assertions regarding the ratification of the foreclosure sale is supported by the trial record. To permit Appellant to proceed with her argument for the first time on appeal would be “manifestly unfair” to Appellees because they would have had no opportunity to respond to Appellant’s newfound claims. *Id.* at 714. Furthermore, we wholeheartedly agree with Appellees that Appellant could have filed a motion pursuant to Md. Rules 2-534 and 2-535(a), requesting that the court ratify its judgment awarding possession of the Property, given that Appellant does not contest service of the final Judgment. Appellant then could have presented evidence to support the argument she is attempting to now advance for the first time on appeal. To exercise our discretion to hear Appellant’s arguments would not promote the orderly administration of justice, as it would circumvent the trial court’s revisory power found in Md. Rules 2-534 and 2-535(a), not to mention the prejudice against Appellees, who would be deprived of the opportunity to present arguments to the contrary.

CONCLUSION

In view of the fact that Appellant failed to properly preserve her arguments for appellate review, we decline to review Appellant's contentions regarding the ratification of the foreclosure sale. In holding that Appellees did provide Appellant with sufficient notice of the foreclosure proceedings, we affirm the trial court's ruling.

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