

Circuit Court for Baltimore City  
Case No. 24-O-18-001996

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 42

September Term, 2020

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VALEDIA GROSS

v.

CARRIE M. WARD, et al.

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Friedman,  
Gould,  
Woodward, Patrick L.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: March 9, 2021

\*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.

In this appeal from a foreclosure action in the Circuit Court for Baltimore City, Valedia Gross, appellant, challenges the court's final ratification and confirmation of the auditor's report. For the reasons that follow, we shall affirm the judgment of the circuit court.

In September 2006, Ms. Gross obtained from First NLC Financial Services, LLC, a loan secured by a deed of trust on her property at 4018 Carlisle Avenue in Baltimore. In the deed of trust, Ms. Gross granted and conveyed the property to a trustee, in trust, with a power of sale. Ms. Gross also executed a promissory note in which she promised to pay the amount of the loan, plus interest, to the lender.

In November 2008, Ms. Gross defaulted on the terms of the note. On October 19, 2018, appellees<sup>1</sup> were appointed as substitute trustees under the deed of trust. On October 31, 2018, appellees filed an order to docket the foreclosure action.

From November 16, 2018, to May 15, 2019, Ms. Gross filed numerous motions to stay the foreclosure and dismiss the action, all of which were denied. On May 16, 2019, the property was sold. On June 24, 2019, Ms. Gross filed exceptions to the foreclosure sale and another motion to dismiss the action. On July 17, 2019, the court issued an order in which it overruled the exceptions. On October 10, 2019, the court issued an order in

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<sup>1</sup>Appellees are Carrie M. Ward, Howard N. Bierman, Jacob Geesing, Pratima Lele, Joshua Coleman, Richard R. Goldsmith, Jr., Elizabeth C. Jones, Nicholas Derdock, Andrew J. Brenner, Angela M. Dawkins, Wayne Anthony Holman, Megh Milan Mittra, Michael Leeb, Christopher Robert Selig, and Philip Shriver.

which it ratified and confirmed the sale and ordered “the Trustee [to] produce vouchers to the Auditor.”

On January 22, 2020, the auditor filed her report. On February 3, 2020, Ms. Gross filed exceptions to the report, in which she challenged, on numerous grounds, appellees’ right to sell the property. On February 5, 2020, the court finally ratified and confirmed the report. On February 27, 2020, the court issued an order in which it overruled Ms. Gross’s exceptions. On March 2, 2020, Ms. Gross filed a notice of appeal.

Ms. Gross first contends that, for numerous reasons, the court erred in denying her motions to dismiss and overruling her exceptions to the foreclosure sale. But, a “notice of appeal shall [generally] be filed within 30 days after entry of the judgment or order from which the appeal is taken,” Rule 8-202(a), and in a foreclosure action, “an order ratifying a foreclosure sale is a 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). Here, Ms. Gross failed to file a notice of appeal within thirty days of the order in which the court ratified the sale. Hence, the appeal is untimely with respect to that order, and we will not consider her challenges to the validity of the foreclosure sale.

Ms. Gross next asserts that the court erred in finally ratifying and confirming the auditor’s report “without review of the [e]xceptions.” But, there is no evidence that the court did not review the exceptions prior to finally ratifying and confirming the report. Also, we have stated that “[e]xceptions to the auditor’s report are directed not at the right to sell the property or to the conduct of the sale itself, but to the allowance or disallowance of expenses of the sale or the distribution of net proceeds.” *Id.* at 206 (internal citation and

quotations omitted). Because Ms. Gross’s exceptions to the report did not challenge the allowance or disallowance of expenses of the sale or the distribution of net proceeds, the court did not err in finally ratifying and confirming the report.<sup>2</sup>

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

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<sup>2</sup>A relative of Ms. Gross, and apparently a co-owner of the property at issue in this foreclosure action, has filed a “Motion for Leave to Intervene” in this appeal so that she may contend that appellees “obtained standing through fraudulent transfer of property rights.” As we have explained, the underlying appeal as to the order in which the court ratified the sale is untimely, and therefore, the motion is denied as moot.