

Circuit Court for Baltimore City  
Case No: 24-C-20005029

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 360

September Term, 2021

---

JEAN CAROLYN JACOBS

v.

NISSAN NORTH AMERICA, INC.

---

Reed,  
Beachley,  
Eyler, James R.  
(Senior Judge, Specially Assigned),

JJ.

---

PER CURIAM

Filed: December 23, 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.

Jean Carolyn Jacobs, appellant, filed a complaint in the Circuit Court for Baltimore City against Nissan North America, Inc. (“Nissan”), appellee. Contending that service had been properly effected upon Nissan by the sheriff’s office and that Nissan had failed to file an answer to the complaint, Ms. Jacobs requested that an order of default be entered against Nissan. The request was denied by the circuit court, as was Ms. Jacobs’ subsequent motion for reconsideration. The circuit court found that the “proof of service contained in the record fail[ed] to comply with Md. Rule 2-126(a)(1)” because “it fail[ed] to contain the name of the person served or the particular place and manner of service.” On appeal, Ms. Jacobs contends that the court erred because 1) the affidavit of service at issue complied with Maryland Rule 2-216(a) and 2) the circuit court was required to enter an order of default pursuant to Maryland Rule 2-613(b).

Without considering the underlying merits, we hold that the present appeal is premature as it stems from an order which does not constitute a final judgment. Generally, parties may only appeal the entry of a final judgment. *See* § 12-301 of the Courts and Judicial Proceedings Article. In part, to constitute a final judgment, the court’s ruling “must adjudicate or complete the adjudication of all claims against all parties.” *McLaughlin v. Ward*, 240 Md. App. 76, 83 (2019). However, at the time the notice of appeal was filed by Ms. Jacobs, her complaint against Nissan was still pending in the circuit court. Therefore, the circuit court’s orders, denying the entry of a default order and denying her motion for reconsideration, did not complete or adjudicate all pending claims against Nissan. Moreover, Ms. Jacobs does not direct this Court to any authority that the orders at

issue constitute appealable interlocutory orders, nor do we note that any exception to the final judgment rule is applicable.

**APPEAL DISMISSED. COSTS TO  
BE PAID BY APPELLANT.**