

Circuit Court for Baltimore City  
Case No.: 24-O-22-000638

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 405

September Term, 2023

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SHEREECE CANTERBURY

v.

JOHN ANSELL, *et al.*

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Ripken,  
Tang,  
Kenney, James A., III  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: February 5, 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 July 2022, the appellees, acting as Substitute Trustees,<sup>1</sup> filed an Order to Docket, in the Circuit Court for Baltimore City, seeking to foreclose on real property owned by Shereece Canterbury, appellant. Canterbury filed a Motion to Stay or Dismiss. The circuit court stayed proceedings until it could hold an evidentiary hearing on Canterbury’s motion. Although the motion asserted several arguments, the court limited the hearing to Canterbury’s claim that her signatures on the debt instrument and transfer documents had been forged. Following that hearing, the court denied the motion, and this appeal followed.

On appeal, Canterbury raises three issues, which we have broken down to five, rephrased, and rearranged for clarity: (1) the Substitute Trustees lacked authority to foreclose; (2) the notice requirements were not met; (3) the debt amount was inaccurate; (4) the Substitute Trustees did not supply a loss mitigation application; and (5) the hearing judge “ha[d] a relationship” with the Substitute Trustees and the stay should not have been lifted. Of these issues, Canterbury raised only the first two in the circuit court prior to this appeal. The last three issues, therefore, are not properly before us, and we will not consider them. *See* Md. Rule 8-131(a). For the following reasons, we find that the remaining issues, though preserved, are without merit. We will therefore affirm.

Canterbury first contends that the Substitute Trustees lacked authority to initiate the foreclosure action for two reasons: (1) the debt was not properly assigned to the Substitute Trustees; and (2) the debt instruments were forged. As to her first argument, the record reflects that the Substitute Trustees complied with the requirements of Maryland Rule

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<sup>1</sup> Substitute Trustees are John Ansell, Amanda Driscole, John C. Hanrahan, Kristopher Hawkins, Paul Heinmuller, Robert A. Oliveri, and Jeremy B. Wilkins.

14-207 when they filed the Order to Docket. The Order contained, among other things, (1) a copy of the Note supported by an affidavit that it was a true and accurate copy, (2) a copy of the Deed of Trust and assignment supported by an affidavit that it was a true and accurate copy and certifying ownership of the debt instrument, and (3) an affidavit that the Substitute Trustees had the right to foreclose and a statement of the debt remaining due and payable. *See* Md. Rule 14-207(b); *see also Anderson v. Burson*, 424 Md. 232, 236 n.6 (2011). The Substitute Trustees thus demonstrated that the debt was properly assigned to them.

As to Canterbury’s second argument, the circuit court held a hearing to assess the merits of her forgery claims. At that hearing, Canterbury’s defense consisted solely of her general assertion that the signatures on the debt instrument and transfer documents were forgeries. She provided no expert or lay testimony to support her claim. Nor did she call the notary public who notarized the Deed of Trust or the third party who witnessed the signing of the Note to testify. On this record, we cannot conclude that the circuit court abused its discretion in finding that the documents were authentic. *See Anderson*, 424 Md. at 243. Thus, Canterbury’s first contention lacks merit.

Canterbury next contends that the Substitute Trustees did not send her the required Notice of Intent to Foreclose 45 days before initiating the proceedings. Again, however, the record reflects that the Substitute Trustees complied with the requirements of Maryland Rule 14-207 when they filed the Order to Docket. In addition to the documents listed above, the Order also contained a copy of the Notice of Intent to Foreclose supported by an affidavit stating that it was sent in accordance with Md. Code Ann., Real Prop. § 7-105.1(c)

and that the contents were accurate at the time the Notice was sent. Both the Notice and supporting affidavit state that the Notice was sent to Canterbury more than 160 days before the Order to Docket was filed. Thus, Canterbury’s second contention also lacks merit, and the circuit court did not err in denying her motion. We therefore affirm its judgment.

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