

Circuit Court for Prince George's County  
Case No.: CAEF22-02154

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 1265

September Term, 2024

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THOMARA B. SPEIGHT

v.

ROSENBERG, MEYER, ANSELL,  
MONTGOMERY, SAVITZ

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Nazarian,  
Arthur,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: July 25, 2025

\*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

In February 2022, the appellees, acting as Substitute Trustees,<sup>1</sup> filed an Order to Docket, in the Circuit Court for Prince George’s County, seeking to foreclose on real property owned by Thomara B. Speight, appellant. Speight did not move to stay or dismiss the foreclosure action, and the property was ultimately sold at a foreclosure auction on April 30, 2024. Thereafter, Speight filed exceptions to the foreclosure sale, which the circuit court overruled without a hearing.<sup>2</sup> The sale was then ratified, and this appeal followed.

On appeal, Speight raises five issues, which we have rephrased and rearranged: (1) that she was never served with process; (2) that the Substitute Trustees lacked the right to initiate the foreclosure action; (3) that the lien instrument was invalid; (4) that the property was sold for less than the fair market value; and (5) that the circuit court failed to hold a hearing on her exceptions. Her arguments lack merit.

Speight first contends that she was never served with the Order to Docket that initiated this action. Even if this were true and constituted a procedural irregularity at the foreclosure sale, Speight never raised this issue in the circuit court. It is, therefore, not properly before us, and we will not consider it. *See* Md. Rule 8-131(a).

Speight’s next two arguments, though preserved, are not proper as exceptions to a foreclosure sale under Maryland Rule 14-305(e). *See Thomas v. Nadel*, 427 Md. 441, 443–44 (2012). “[E]xceptions to the sale may challenge only procedural irregularities at the

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<sup>1</sup> Substitute Trustees are Diane S. Rosenberg, Mark D. Meyer, and Maurice O’Brien.

<sup>2</sup> Speight filed her exceptions one day late, but, although it noted their untimeliness, the court still considered the exceptions on their merits.

sale[.]” *Id.* at 444 (quotation marks omitted) (quoting *Greenbrier Condo. v. Brooks*, 387 Md. 683, 688 (2005)). Challenges to the validity of the lien or the right to foreclose must, instead, be raised in a pre-sale motion to stay or dismiss under Rule 14-211(a). Further, there is nothing in the record to support Speight’s vague claims that the lien instrument was fraudulent. Consequently, her second and third contentions were not cognizable post-sale exceptions and were properly overruled.

As for the sale price, the record reflects that the property sold for about 96% of its tax assessed value. The circuit court found that the price was legally adequate. We review its determination for clear error. *Griffin v. Shapiro*, 158 Md. App. 337, 352 (2004). “[U]nless the disparity between the valuation of the property and the price obtained for it is such as to shock the conscience of the court, the sale will not be set aside for mere inadequacy of price.” *Silver Spring Dev. Corp. v. Guertler*, 257 Md. 291, 297 (1970) (cleaned up). We have affirmed foreclosure sales with far greater disparities between the tax assessed value and final sale price than the sale here. *See, e.g., Griffin*, 158 Md. App. at 351–52 (affirming a sale price that was roughly 45% of the tax assessed value). Under these circumstances, the sale price does not “shock the conscience of this Court.” *Id.* at 352. Thus, the circuit court’s determination that the price was legally adequate was not clearly erroneous.

Finally, Speight argues that the circuit court erred in not holding a hearing on her exceptions. Under Rule 14-305(e)(2), the court had discretion to deny the exceptions without a hearing unless “a hearing [was] requested and the exceptions or any response clearly show[ed] a need to take evidence.” Neither party here requested a hearing, and

Speight's exceptions did not allege with particularity any procedural irregularity with the sale. Thus, the court was not required to hold a hearing to take evidence, and it did not abuse its discretion in overruling Speight's exceptions without one. We therefore affirm its judgment.

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