

Circuit Court for Prince George's County
Case No. CAEF19-21095

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1750

September Term, 2019

CAMELIA STYLES

v.

CARRIE M. WARD, ET AL.

Fader, C.J.,
Kehoe,
Berger,

JJ.

Opinion by Fader, C.J.

Filed: December 18, 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.

The appellees, substitute trustees¹ appointed to conduct a foreclosure sale, initiated an action to foreclose on residential property in Capitol Heights of which Camelia Styles, the appellant, is the record owner (the “Property”). Ms. Styles filed a motion to dismiss or stay the foreclosure proceedings in which she argued that the action was barred by Maryland’s general three-year statute of limitations applicable to civil actions at law. The circuit court denied the motion, and Ms. Styles appealed. We will affirm the circuit court for reasons stated in our recent decision in *Daughtry v. Nadel*, ___ Md. App. ___, No. 1814, Sept. Term 2019, slip op. (Dec. 16, 2020).

BACKGROUND

In August 2007, Ms. Styles refinanced a mortgage on the Property with a loan from Washington Mutual Bank, which was secured by a deed of trust. In March 2015, after previously entering a loan modification agreement, Ms. Styles defaulted on the loan. On July 3, 2019, the substitute trustees initiated this action by filing an order to docket the foreclosure in the Circuit Court for Prince George’s County.

Ms. Styles, acting pro se, filed a motion to dismiss or stay the foreclosure sale in August 2019. Among other defenses not relevant to this appeal, Ms. Styles argued that the foreclosure action was barred by Maryland’s three-year statute of limitations, codified in § 5-101 of the Courts and Judicial Proceedings Article (Repl. 2020), because it was filed more than three years after her initial default. The substitute trustees opposed the motion,

¹ The substitute trustees are identified as 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 the circuit court denied without a hearing on the ground that it failed to state a meritorious factual or legal basis. This timely appeal followed.

DISCUSSION

Ms. Styles contends that the foreclosure action is barred by the statute of limitations. She argues that § 5-102(c)(2) of the Courts and Judicial Proceedings Article exempts actions on a “deed of trust, mortgage, or promissory note that has been signed under seal and secures or is secured by residential property” from the 12-year statute of limitations Maryland imposes on specialties and thereby subjects such actions to the three-year limitations period in § 5-101. We recently rejected that same argument in an appeal argued on the same day and before the same panel as this one. *See Daughtry*, ___ Md. App. ___, slip op. at 14-28. For the reasons stated in our opinion in *Daughtry*, we hold that no statute of limitations applies to foreclosure actions and that the circuit court therefore did not err in denying Ms. Styles’s motion. We will affirm.

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