

Circuit Court for Montgomery County
Case No. 468764V

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2162

September Term, 2019

MELISSA WASHINGTON

v.

KRISTINE D. BROWN, *et al.*

Nazarian,
Arthur,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 28, 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 2019, appellees, acting as substitute trustees,¹ filed an Order to Docket Foreclosure in the Circuit Court for Montgomery County, seeking to foreclose on real property owned by Melissa Washington, appellant. Ms. Washington subsequently filed a “Petition to Dismiss/Abate for Lack of Subject Matter (In Personam) Jurisdiction” (motion to dismiss). In that motion she claimed that the court lacked subject matter jurisdiction over the foreclosure action because: (1) she was “a private citizen whose rights [could not] be seen in a military jurisdiction court;” (2) the action was brought against her “fictitious commercial name,” MELISSA WASHINGTON” for which she [was] not an agent;” and (3) she was not subject to the “Trading with the Enemy Act as amended by the Emergency Banking Relief Act of 1933.” She further contended that if appellees had a complaint against her they could “bring [it] against [her] real name, in a court of law (not an administrative court which only has jurisdiction over corporations and other fictions), by placing an affidavit of a live injured party on the record of the court, to invoke a civilian due process jurisdiction of the court.” Following a hearing, the circuit court denied the motion to dismiss. On appeal, Ms. Washington raises three issues which reduce to one: whether the court erred in denying the motion to dismiss because, she claims, the court lacked jurisdiction. For the reasons that follow, we shall affirm.

The Maryland Rules of Procedure, which govern the courts of this state, provide that the circuit courts in Maryland have general equity jurisdiction over foreclosures. *See* Md. Rule 14-203; *see also Voge v. Olin*, 69 Md. App. 508, 514 (1986) (“[T]he circuit court

¹ Appellees are Kristine D. Brown, Gregory N. Britto, Thomas Gartner, William M. Savage, and Kip R. Stone.

has general equity jurisdiction over mortgage foreclosure proceedings and it may invoke all the equitable powers with which it is imbued[.]”). And because the subject property is located in Montgomery County, the Montgomery County circuit court had *in rem* jurisdiction over the foreclosure after the Order to Docket was filed. *See* Md. Rule 14-203.

Ms. Washington’s arguments to the contrary have no basis in law. Rather, they appear to be based on legal theories advanced by the proponents of the “sovereign citizen” and “redemptionist” movements, in which individuals seek to “dodge [their] legal and financial responsibilities by claiming [to be a] ‘general executor,’ denying [their] citizenship, or through any other filings or declarations to these effects.” *Anderson v. O’Sullivan*, 224 Md. App. 501, 512-13 (2015) (footnote omitted). However, in *Anderson*, we noted that such theories “have not, will not, and cannot be accepted as valid.” *Id.* at 512. Consequently, we hold that the circuit court had subject matter jurisdiction over the foreclosure proceedings and therefore, did not err in denying Ms. Washington’s motion to dismiss.

**JUDGMENT OF THE CIRCUIT
COURT FOR MONTGOMERY
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**