

Orphans' Court for Anne Arundel County  
Case No.: 101178

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 2337

September Term, 2022

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IN RE: THE ESTATE OF  
RICHARD ALAN WALTERS

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Friedman,  
Zic,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: March 7, 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.

Linda Engel, appellant, presented a claim against the estate of Richard Alan Walters, the decedent, in the Orphans’ Court for Anne Arundel County. Engel, the decedent’s longtime girlfriend, alleged that the decedent had named her as the beneficiary under a life insurance policy and that the proceeds from that policy had been improperly paid, instead, to the estate. The Personal Representative,<sup>1</sup> appellee, filed a notice of disallowance in reference to Engel’s claim, alleging it was untimely presented. Engel then petitioned for allowance. The orphans’ court held a hearing on her petition and ultimately dismissed the claim as untimely presented. This appeal followed.

To facilitate the prompt settlement of decedents’ estates, a person must “present” a claim against an estate within six months after the decedent’s death or two months after the personal representative mails or delivers proper notice of the need to file a claim within two months, whichever comes first. Md. Code Ann., Est. & Trusts § 8-103(a). If a claimant fails to meet those statutory deadlines, the claim is “forever barred.” *Id.*

Here, the decedent died on August 3, 2020. Engel thus had until February 3, 2021, to present her claim against the estate. According to the orphans’ court’s docket, she did not do so until April 7, 2021. To be sure, at the hearing on her petition, Engel argued to the court that she had mailed her claim in February 2021. But the record reflects that the only evidence supporting Engel’s argument was a certification indicating that she sent something to the Register of Wills and the Personal Representative by certified mail on February 12, 2021. Even if we assume that what Engel mailed was, in fact, her claim and

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<sup>1</sup> The Personal Representative is Timothy Walters, the decedent’s son.

that placing the claim in the mail qualifies as “presenting” it under § 8-103(a), the claim was still untimely presented by nine days. Accordingly, the orphans’ court did not err in dismissing it.

**JUDGMENT OF THE ORPHANS’  
COURT FOR ANNE ARUNDEL  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**