

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 2425

September Term, 2016

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ALABDJOU ATCHOSSA TCHAMA

v.

LAURA H.G. O'SULLIVAN, ET AL.,  
SUBSTITUTE TRUSTEES

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Woodward, C.J.,  
Eyler, Deborah S.,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: February 9, 2018

\*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.

On September 5, 2014, substitute trustees, appellees, filed an order to docket foreclosure in the Circuit Court for Prince George’s County for 1603 Trillum Court, Bowie, Maryland 20721 (“the property”).<sup>1</sup> In response, proceeding *pro se* Alabdjou Atchossa Tchama, appellant, the owner of the property, filed a letter with the court. In the letter, Tchama denied and disputed the debt and sought various documents from appellees’ attorneys. On August 24, 2015, Tchama filed a “Request for Answer to Interrogatories to Plaintiff,” which propounded a series of questions to appellees. On August 25, 2015, the property was sold at auction, a report of which was filed on August 28. Following a hearing on November 19, 2015, the court denied Tchama’s request for interrogatories and his objection to the foreclosure sale. On December 28, 2016, the court ratified the sale. Tchama then noted this appeal.

Tchama contends that the court erred in ratifying the sale because the court had noted in the order of ratification that appellees were not in compliance with § 13-1102 of the Prince George’s County Code (“the County Code”).<sup>2</sup> Furthermore, Tchama alleges that the foreclosure was illegal because the court never ordered appellees to comply with his discovery interrogatories, answers to which, Tchama believes, would show mortgage fraud. For the reasons stated below, we affirm.

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<sup>1</sup> The substitute trustees are: Laura H.G. O’Sullivan, Erin M. Shaffer, Diana C. Theologou, Chasity Brown, Laura T. Curry, Alyson Gromak, and Youme Lee.

<sup>2</sup> This ordinance requires notification to the Director of the Department of Permitting, Inspections, and Enforcement (“DPIE”) of the filing of an order to docket foreclosure of property located within Prince George’s County.

In the order ratifying the foreclosure sale, the court did, indeed, note that there was no evidence that appellees had complied with § 13-1102 of the County Code. The court then stated, however: “Notwithstanding the Substitute Trustees’ failure to provide such proof, this Court determines it is otherwise appropriate to ratify the sale. Ratification is without prejudice to DPIE or Prince George’s County Government to enforce the provisions” of the County Code. Tchama is incorrect that the remedy for appellees’ failure to provide notice to DPIE is the dismissal of the foreclosure proceedings against him. Rather, § 13-1103 of the County Code provides: “A person authorized to make the sale that fails to give notice as required in this Division shall pay a civil penalty of fifty dollars (\$50) for each calendar day that notice is not filed.” Accordingly, the court did not err in ratifying the sale despite appellees’ failure to provide notice to DPIE as provided for in the County Code.

Tchama also contends that the court erred in not compelling appellees to respond to his discovery requests. We review the denial of discovery requests in foreclosure proceedings for an abuse of discretion. *See Jones v. Rosenberg*, 178 Md. App. 54, 66 (2008). Notably, discovery does not generally occur in foreclosure cases, but Rule 14-211(a)(3)(C) permits a request for discovery in motions to stay the foreclosure proceedings for “specific supporting documents in the possession or control of the plaintiff or the secured party.”

Tchama did not file a motion to stay pursuant to Rule 14-211. Moreover, this Court has observed that debtors have three means of challenging a foreclosure: 1) obtaining a pre-sale injunction; 2) filing post-sale exceptions to the ratification of sale; or 3) filing post-

sale exceptions to the auditor’s statement of account. *Jones*, 178 Md. App. at 65. Tchama’s discovery requests do not fall into any of those three methods of challenging a foreclosure. Accordingly, the court did not abuse its discretion in denying his discovery requests.

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