

ELBERT GAYNOR

v.

EXTENDED STAY AMERICA

* IN THE
* SUPREME COURT

* OF MARYLAND

* Petition No. 138
* September Term, 2024

* (Cir. Ct. No. C-13-CV-23-000701)

* ORDER

Upon consideration of the petition for a writ of certiorari to the Circuit Court for Howard County, the supplement to the petition, the motion to reconsider the denial of the motion to permit the filing of a supersedeas bond, the motion to consolidate cases, the motion to amend petition, and the motion to extend time to transfer the record, it is this 25th day of September 2024, by the Supreme Court of Maryland,

ORDERED that the motions are all denied¹; and it is further

ORDERED that the petition for writ of certiorari is denied as there has been no showing that review by certiorari is desirable and in the public interest.



/s/ Matthew J. Fader
Chief Justice

¹ In addition to the already identified motions, petitioner also filed a motion to stay the enforcement of the circuit court judgment. On September 22, 2024, Petitioner voluntarily withdrew that motion.

ELBERT GAYNOR

v.

EXTENDED STAY AMERICA

IN THE

SUPREME COURT

OF MARYLAND

Petition No. 180
September Term, 2024

(Cir. Ct. No. C-13-CV-24-000122)

ORDER

Upon consideration of the petition for a writ of certiorari to the Circuit Court for Howard County, the supplement to the petition, the motion to consolidate cases, the motion to amend petition, and the motion to extend time to transfer the record, it is this 25th day of September 2024, by the Supreme Court of Maryland,

ORDERED that the motions are all denied¹; and it is further¹,

ORDERED that the petition for writ of certiorari is denied as there has been no showing that review by certiorari is desirable and in the public interest.



/s/ Matthew J. Fader
Chief Justice

¹ In addition to the already identified motions, petitioner also filed a motion to stay the enforcement of the circuit court judgment. On September 22, 2024, Petitioner voluntarily withdrew that motion.

ELBERT GAYNOR

v.

EXTENDED STAY AMERICA

* IN THE
* SUPREME COURT

* OF MARYLAND

* Petition No. 138
* September Term, 2024

* (Cir. Ct. No. C-13-CV-23-000701)

ORDER

Upon consideration of the Motion for Stay of Enforcement, Motion Application for Reargument, and Request for Waiver of Prepaid Appellate Costs, it is this 26th day of February 2025, by the Supreme Court of Maryland,

ORDERED that, as the September 25, 2024 order denying the petition for writ of certiorari was by unanimous vote of the Court, the motion for reargument is denied; and it is further

ORDERED that the motion to stay is denied; and it is further

ORDERED that the Request for Waiver of Prepaid Appellate Costs is granted.



/s/ Matthew J. Fader
Chief Justice

(ELBERT GAYNOR)

v.

EXTENDED STAY AMERICA

* IN THE
* SUPREME COURT
* OF MARYLAND
* Petition No. 180
* September Term, 2024
* (Cir. Ct. No. C-13-CV-24-000122)

O R D E R

Upon consideration of the Motion for Stay of Enforcement, Motion Application for Reargument, and Request for Waiver of Prepaid Appellate Costs, it is this 26th day of February 2025, by the Supreme Court of Maryland,

ORDERED that, as the September 25, 2024 order denying the petition for writ of certiorari was by unanimous vote of the Court, the motion for reargument is denied; and it is further

ORDERED that the motion to stay is denied; and it is further

ORDERED that the Request for Waiver of Prepaid Appellate Costs is granted.



/s/ Matthew J. Fader
Chief Justice

ELBERT GAYNOR

Appellant,

v.

EXTENDED STAY AMERICA

Appellee.

IN THE

CIRCUIT COURT

OF MARYLAND FOR

HOWARD COUNTY

Case No. C-13-CV-23-000701

PROPOSED ORDER

UPON CONSIDERATION of Appellee, Extended Stay America's, Motion to Dismiss
Appeal Pursuant to Rule 7-114(c)(3), any Opposition thereto or Reply in further support thereof,
and the entire record herein, it is this 6 day of February, 2024, by the Circuit Court for
Howard County, hereby:

~~ORDERED, that Appellee, Extended Stay America's, Motion to Dismiss Appeal~~

~~Pursuant to Rule 7-114(c)(3) shall be, and hereby is, GRANTED; and it is further~~

~~ORDERED, that the above-captioned appeal shall be, and hereby is, DISMISSED WITH
PREJUDICE.~~

~~SO ORDERED.~~

~~Or, in the alternative,~~

~~ORDERED, that Mr. Gaynor shall comply with the requirements set forth in Maryland
Rule 1-321 by serving copies of all pleadings and/or filings with the Court upon Carly A. Chick,
Esq., counsel for Appellee.~~

~~SO ORDERED.~~

*Alleging motions
and DENTED as Moot*

Stephanie C.
JUDGE, Circuit Court for
Howard County, Maryland

15648343

Entered: Clerk, Circuit Court for
Howard County, MD
March 6, 2024

ELBERT GAYNOR

Appellant,

v.

EXTENDED STAY AMERICA

Appellee.

IN THE
CIRCUIT COURT
OF MARYLAND FOR
HOWARD COUNTY

Case No.C-13-CV-24-000122

ORDER

UPON CONSIDERATION of Appellee, Extended Stay America's, Motion to Dismiss
Appeal Pursuant to Rule 7-114(b)(2), and Opposition thereto or Reply in further support thereto,
any the entire record herein, it is this 11th of March, 2024 by the Circuit Court for
Howard County, hereby:

ORDERED, that Extended Stay America's, Motion to Dismiss Appeal Pursuant to Rule 7-
114(b)(2) shall be, and hereby is, GRANTED; and it is further

ORDERED, that the appeal shall be, and hereby is, DISMISSED.

SO ORDERED.

03/11/2024 9:25:03 AM
William V. Tucker
William V. Tucker, Administrative Judge
JUDGE, Circuit Court for Howard County

Entered: Clerk, Circuit Court for
Howard County, MD
March 12, 2024

ELBERT GAYNOR

Appellant,

v.

EXTENDED STAY AMERICA

Appellee.

IN THE

CIRCUIT COURT

OF MARYLAND FOR

HOWARD COUNTY

Case No. C-13-CV-23-000701

PROPOSED ORDER

UPON CONSIDERATION of Appellee, Extended Stay America's Motion to Dismiss
Appeal Pursuant to Rule 7-114(c)(3), any Opposition thereto or Reply in further support thereof,
and the entire record herein, it is this 6 day of January, 2024, by the Circuit Court for
Howard County, hereby:

~~ORDERED, that Appellee, Extended Stay America's Motion to Dismiss Appeal~~

~~Pursuant to Rule 7-114(c)(3) shall be, and hereby is, GRANTED; and it is further~~

~~ORDERED, that the above-captioned appeal shall be, and hereby is, DISMISSED WITH
PREJUDICE.~~

~~SO ORDERED.~~

Or, in the alternative,

~~ORDERED, that Mr. Gaynor shall comply with the requirement set forth in Maryland
Rule 1-321 by serving copies of all pleadings and/or filings with the Court upon Carly A. Chick,
Esq., counsel for Appellee.~~

~~SO ORDERED.~~

*All pending motions
and DENIED on Merit*

*Entered: Clerk, Circuit Court for
Howard County, Maryland.*

Entered: Clerk, Circuit Court for
Howard County, MD
March 6, 2024

DISTRICT COURT OF MARYLAND FOR

Located at 5451 Columbia Drive, Ellicott City, MD 21043-4377
Court Address

Extended Stay America:

Plaintiff/Landlord/Agent
8870 Columbia 100 Parkway
Address of Plaintiff/Landlord/Agent
Columbia, MD 21045

City

Elbert Gaynor

(1) Defendant/Tenant

(2) Defendant/Tenant

(3) Defendant/Tenant

(4) Defendant/Tenant

8870 Columbia 100 Parkway, #321
Address of Defendant(s)/Tenant(s)
Columbia, MD 21045

City

State

Zip

E-FILED; Howard District Court

Printed: 1/26/2024 9:54 AM; Submission: 1/26/2024 9:54 AM

City/County

Envelope: 15212574

Telephone (410) 480-7700

Case No. D-101-LT-23-011336

 EVICTED CANCELED MOVE CANCELED PAID CANCELED EXPIRED

J. L. Murphy

Plaintiff/Landlord/Agent

Constable/Deputy/Sheriff

3/13/2024

Constable Number

Date

FOR OFFICE USE ONLY

MAR 13 2024

EVICTION

PETITION FOR WARRANT OF RESTITUTION

On January 11, 2024 the court:

 determined the amount due to be \$ 11,289.00

plus costs of \$

 ordered that possession of the premises described as 8870 Columbia 100 Parkway, #321, Columbia, MD 21045 be returned to the plaintiff/landlord. found the defendant/tenant does not have the right to redeem.

The defendant/tenant:

 has paid (if any): \$ 0 leaving a balance due of \$ 11,289.00 (not including court costs) as of the date of the filing of this petition.

The plaintiff/landlord requests a warrant to be issued for possession of the premises.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

January 26, 2024

Date

410.523.6405

Telephone Number

410.779.3910

Fax

Carly.Chick@howard.mary.us

E-mail

1612130071

Attorney Number

/s/ Carly A. Chick

Signature of Plaintiff/Landlord/Agent/Attorney

Carly A. Chick

Printed Name

100 Light Street, Suite 1300

Address

Baltimore, MD 21202

City, State, Zip

ORDER FOR WARRANT OF RESTITUTION

It is ORDERED that a Warrant of Restitution be issued and that

 the judgment for possession may be redeemed by payment for rent and late fees in the amount of \$ 11,289.00 plus court-awarded costs in the amount of \$ 0 minus any payments made after 1/26/2024 in the amount of \$ 11,289.00 for a total amount of \$ 11,289.00 payable to the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity. the judgment for possession may not be redeemed.

WARRANT OF RESTITUTION

State of Maryland, City/County of: Howard County

To sheriff/constable:

 Unless defendant/tenant pays the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity in the amount of \$ 11,289.00 plus \$ 0 costs, you are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order. The judgment for possession may not be redeemed. You are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order.

1/26/2024

Judge

ID Number

TENANTS: NOTICE OF EVICTION

The court has ordered you to be evicted. If the property is in Baltimore City, special procedures apply. See notice on back page for general information and for special procedures in Baltimore City. Need free legal help? Call 410-260-1392 or mdcourts.gov/helplinecenter

NOTICE: To request a foreign language interpreter or reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

DC-CV-081 (Rev. 10/2023)

Reset

NOT VALID UNLESS SIGNED BY JUDGE