

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAULA H. SMITH,	§
	§
Plaintiff Below,	§ No. 474, 2025
Appellant,	§
	§ Court Below—Court of Chancery
v.	§ of the State of Delaware
	§
FEDERAL NATIONAL	§ C.A. No. 2023-0653
MORTGAGE ASSOCIATION,	§
	§
Defendant Below,	§
Appellee.	§

Submitted: June 5, 2026

Decided: July 21, 2026

Before **SEITZ**, Chief Justice; **LEGROW** and **GRIFFITHS**, Justices.

ORDER

After consideration of the briefs and the record on appeal, it appears to the Court that:

(1) In March 2024, the Court of Chancery dismissed appellant Paula Smith’s complaint for adverse possession of a property for failure to state a claim because Smith did not plead that she had possessed the property for the requisite twenty years.¹ Indeed, Smith’s complaint alleged—and Smith has repeatedly

¹ See *White v. Brian Bank Trust*, 2019 WL 1982951, at *2 (Del. May 3, 2019) (“To claim the Property by adverse possession, the Whites had to show possession of the Property in an open, notorious, hostile, and exclusive manner for twenty years.”).

asserted—that she began trying to purchase the property in April 2018 and first took possession of the property on February 4, 2020.²

(2) Smith did not appeal the dismissal. Instead, Smith repeatedly sought to reopen the action, asserting that the defendant Federal National Mortgage Association (“FNMA”) does not own the property; Smith and her children were negatively impacted when they were evicted following the Superior Court’s issuance of a writ of possession; FNMA or its agents have not taken appropriate care of the property; and other factual allegations that did not establish a basis to reopen the matter. Two Magistrates in Chancery and two Vice Chancellors have rejected Smith’s efforts on both procedural grounds and on the merits.³ Ultimately, in the order from which Smith appeals, the Court of Chancery again declined to reopen the matter, enjoined Smith from future filings without the required certifications and leave of court under 10 *Del. C.* § 8803(e), and declined to shift a portion of FNMA’s legal expenses to Smith.

² Attached to the complaint were exhibits indicating that Charles A. and Brenda B. Ferris owned the Property before the property was sold at a sheriff’s sale on November 9, 2016. At a hearing on Smith’s exceptions to a Magistrate’s report recommending dismissal, Smith told the Vice Chancellor that she did not have a key to the property—she “just slid a plastic thing into the door, the side of the door, and I got in.” *Smith v. Fed. Nat’l Mortgage Ass’n*, Transcript of Hearing and Rulings of the Court on Exceptions to the Final Report of the Magistrate, at 6 (Del. Ch. Mar. 27, 2024).

³ This Court dismissed a procedurally improper interlocutory appeal that Smith filed in 2025. *Smith v. Fed. Nat’l Mortgage Ass’n*, 2025 WL 1639871 (Del. June 9, 2025).

(3) On appeal, Smith contends that the Court of Chancery erred by enjoining her from future filings and by declining to reopen the case. She again insists that FNMA does not own the subject property; asserts that being evicted from the property was traumatic for her and her children; and states that she has invested funds in the property. None of her allegations or arguments show that the Court of Chancery abused its discretion by denying Smith’s efforts to relitigate her claim.⁴ At bottom, Smith did not—and by her own factual allegations cannot—state a claim for adverse possession.

(4) As to the injunction, the Magistrate in Chancery determined that Smith’s “persistent filings and restatements of frivolous positions, which have been rejected several times by judicial officers of this Court, are an abuse of the judicial process. As a result, [Smith] should be enjoined from future filings, absent her compliance with [10 *Del. C.* §] 8803(e).” The Vice Chancellor reviewed *de novo* Smith’s exceptions to that conclusion and found them meritless.

(5) Smith asserts that her filings have all been true, and that she has merely been exercising her right to petition the courts for relief. But the Court of Chancery has repeatedly addressed her claims and found that she has not established a legal

⁴ See *Yancey v. Nat’l Trust Co.*, 1998 WL 309819, at *2 (Del. May 19, 1998) (“A motion to reopen a judgment under Court of Chancery Rule 60(b) is addressed to the sound discretion of the trial court and the grant or denial of such a motion will be reviewed by this Court on appeal under an abuse of discretion standard.”).

right to relief. Enough is enough. We find no reversible error in the Court of Chancery's determination that Smith's filings constituted an abuse of the judicial process and that her future filings must be accompanied by the certifications required by Section 8803(e).

NOW, THEREFORE, IT IS ORDERED, that the judgment of the Court of Chancery is AFFIRMED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice