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This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5437-15T2

WELLS FARGO BANK, NA, as
Trustee for ABFC 2005-HE2 Trust
ABFC Asset-Backed Certificates,
Series 2005-HE2,

Plaintiff-Respondent,

v.

KENNETH WRIGHT,

Defendant-Appellant,

and

STATE OF NEW JERSEY and CACH
OF NEW JERSEY LLC,

Defendants.

Submitted November 27, 2017 — Decided December 18, 2017

Before Judges Ostrer and Whipple.

On appeal from Superior Court of New Jersey,
Chancery Division, Cape May County, Docket No.
F-044947-13.

Kenneth Wright, appellant pro se.

Greenberg Traurig, LLP, attorneys for
respondent (Brian Pantaleo and Paige Nestel,
of counsel and on the brief).

PER CURIAM


Defendant Kenneth Wright appeals from the trial court's June 15, 2016 order denying his motion for a stay of a sheriff's sale. Although not identified in his notice of appeal, Wright also challenges the court's July 7, 2016 order denying his motion to vacate the November 19, 2015 final judgment of foreclosure entered by default.

Defendant has presented an insufficient basis to disturb the trial court's discretionary determinations to deny a stay, see Garden State Equal. v. Dow, 216 N.J. 314, 320 (2013) (stating that applicant for a stay must demonstrate he would suffer irreparable harm, he is likely to prevail on the merits based on settled law, and the balance of equities favors relief); Crane v. Bielski, 15 N.J. 342, 346 (1954) (stating that court of equity has inherent power to control the process of the sale of mortgaged premises), and to deny the motion to vacate the foreclosure judgment, US Bank Nat'l Ass'n v. Guillaume, 209 N.J. 449, 467 (2012) (appellate court reviews denial of motion under Rule 4:50-1 for an abuse of discretion). Defendant's challenge to plaintiff's standing is belied by the valid assignment of the mortgage. See Deutsche Bank Nat'l Trust Co. v. Angeles, 428 N.J. Super. 315, 318 (App. Div. 2011) (stating that possession of the note, or assignment of mortgage predating foreclosure complaint confers standing). As

best we can understand them, his remaining arguments, some raised for the first time on appeal, see Nieder v. Royal Indem. Ins. Co., 62 N.J. 229, 234 (1973) (stating court generally is not obliged to consider questions raised for the first time on appeal) lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION