

Circuit Court for Talbot County  
Case No.: C-20-CR-19-000314

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 685

September Term, 2022

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JEREZ NEHEMIAH STONE-COLEMAN

v.

STATE OF MARYLAND

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Nazarian,  
Ripken,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),  
JJ.

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PER CURIAM

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Filed: October 27, 2022

\*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.

In November 2019, Jerez Nehemiah Stone-Coleman, appellant, was arrested and charged with one count of theft between \$25,000 and \$100,000 and two counts of identity theft. Following his release, appellant failed to appear at two pre-trial status conferences. The court issued a bench warrant and, after appellant was arrested on that warrant, the court set bail at \$2,000, with permission to post ten percent. Appellant posted that bond the next day and was released from custody. However, appellant again failed to appear for a pre-trial hearing in July 2021. The court then held the bond forfeit and issued a second bench warrant. Following his arrest on that warrant, the court set bail at \$50,000.

Thereafter, appellant filed numerous motions for bail review, all of which were denied. The court then held a status conference on May 20, 2022. At that hearing, the court denied appellant’s request to discharge his appointed counsel and ordered the Maryland Department of Health to conduct an outpatient examination of his competency to stand trial. This appeal followed.<sup>1</sup> The State has moved to dismiss the appeal as not allowed by law. For the reasons that follow, we shall grant the motion to dismiss.

This Court only has jurisdiction over an appeal when it is taken from a final judgment or is otherwise permitted by law. *See Addison v. Lochearn Nursing Home, LLC*, 411 Md. 251, 273-74 (2009). A final judgment is a judgment that “disposes of all claims

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<sup>1</sup> After appellant filed his notice of appeal, the court held a competency hearing, found that appellant was incompetent to stand trial and a danger to himself, committed appellant to the custody of the Maryland Department of Health, vacated his trial date, and ordered a review hearing within 60 days. Appellant had not yet filed a notice of appeal from that order.

against all parties and concludes the case.” *Matter of the Donald Edwin Williams Revocable Trust*, 234 Md. App. 472, 490 (2017) (quotation marks and citation omitted). “The final judgment in a criminal case consists of the verdict and, except where there is an acquittal, the sanction imposed, which is normally a fine or sentence of imprisonment or both.” *Telak v. State*, 315 Md. 568, 575 (1989). There are only three exceptions to the final judgment requirement: appeals from interlocutory orders specifically allowed by statute; immediate appeals permitted under Maryland Rule 2-602(b); and appeals from interlocutory rulings permitted under the common law collateral order doctrine. *Johnson v. Johnson*, 423 Md. 602, 607 (2011).

Here, the court had not entered a final judgment at the time appellant filed his notice of appeal. Moreover, no exception to the final judgment rule applies with respect to the orders appellant is attempting to appeal. Consequently, we must dismiss the appeal as premature.

In doing so, we note that the review of the denial of bail must be obtained by first filing a petition for writ of habeas corpus and then filing an application for leave to appeal if the petition for writ of habeas corpus is denied. Md. Code Ann., Cts. & Jud. Proc. § 3-707; Maryland Rule 8-204. Here, appellant did not file a petition for a writ of habeas corpus following the denial of his motions for bail review. And for that reason, the issue of whether he was improperly denied bail is not properly before us. However, this dismissal is without prejudice to the right of appellant to file an application for leave to

appeal following the denial of a petition for writ of habeas corpus filed in a separate circuit court action.

**APPEAL DISMISSED. COSTS TO  
BE PAID BY APPELLANT.**