

Circuit Court for Washington County  
Case No. 21-K-00-026006

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 977

September Term, 2021

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THOMAS CLIFFORD WALLACE

v.

STATE OF MARYLAND

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Nazarian,  
Leahy,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: March 30, 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.

Thomas Clifford Wallace, appellant, appeals from the denial, by the Circuit Court for Washington County, of a motion for substance abuse evaluation and commitment to a treatment facility pursuant to Md. Code (1982, 2019 Repl. Vol., 2020 Supp.), §§ 8-505 and 8-507 of the Health-General Article. Mr. Wallace contends that the court abused its discretion in denying the motion, because the court’s “order is not grounded or based in law,” and “[n]o basis is given for the denial.” The State moves to dismiss the appeal “as not allowed by law.” We agree with the State. The Court of Appeals has held “that the denial of a petition for commitment for substance abuse treatment pursuant to Section 8-507 of the Health-General Article is not an appealable order.”<sup>1</sup> *Fuller v. State*, 397 Md. 372, 380 (2007). Accordingly, we grant the State’s motion, and dismiss the appeal.

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

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<sup>1</sup>This Court has recognized one exception to this holding, specifically where a court erroneously determines that amendments to § 8-507 of the Health-General Article, enacted subsequent to a defendant’s imprisonment, preclude the court “from committing [the defendant] pursuant to [the statute] until he attain[s] parole eligibility.” *Hill v. State*, 247 Md. App. 377, 389 (2020). In the instant matter, the circuit court did not make any such ruling.