

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND

No. 1146

September Term, 2025

CHARLES WILLIAM SELBY, III

v.

STATE OF MARYLAND

Graeff,
Berger,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: January 26, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Charles William Selby, III, appellant, appeals from the denial, by the Circuit Court for Washington County, of his petition for writ of habeas corpus. In response, the State has filed a motion to dismiss the appeal as not permitted by law. For the reasons that follow, we shall grant the State’s motion to dismiss the appeal.

Following a 2011 jury trial, appellant was convicted of twelve counts of sexual abuse of a minor, eight counts of sexual offense in the second degree, and one count of sexual offense in the third degree. The court sentenced him to a total term of 180 years’ imprisonment. In June 2025, appellant filed a petition for writ of habeas corpus claiming that the court “did not satisfy” Maryland Rule 4-351(a)(5) because with respect to his sentences ordered to run consecutively, the commitment record failed to designate the exact date that each sentence would end and the next sentence would begin. The court denied appellant’s petition without a hearing. This appeal followed.

“Although the right to seek a writ of habeas corpus is constitutionally protected, the right to an *appeal* from the disposition of the habeas corpus petition is not.” *Simms v. Shearin*, 221 Md. App. 460, 469 (2015). “An appeal may be taken from a final order in a habeas corpus case only where specifically authorized by statute.” *Gluckstern v. Sutton*, 319 Md. 634, 652 (1990). The only possible statute that would apply in this case is Section 7-107 of the Criminal Procedure Article. However, that statute only authorizes appeals in habeas corpus cases “when the petitioner challenge[s] the legality of confinement based on collateral post-trial influences and not the legality of the underlying conviction or sentence, and where the [Uniform Post-Conviction Procedure Act does] not otherwise provide a remedy.” *Simms*, 221 Md. App. at 473. Because the claims raised in appellant’s habeas

petition attacked the legality of his conviction and sentence, the denial of that petition is not appealable. *See Green v. Hutchinson*, 158 Md. App. 168, 174 (2004) (where the arguments in support of habeas relief “went directly to the legality of [the petitioner’s] convictions[,]” there was no right to appeal the circuit court’s order denying relief). Consequently, the appeal must be dismissed.

**MOTION TO DISMISS APPEAL
GRANTED. COSTS TO BE PAID BY
APPELLANT.**