

Circuit Court for Baltimore County
Case No: 03-C-17-011827

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1169

September Term, 2018

VINCENT DAVIS

v.

MARYLAND PAROLE COMMISSION

Arthur,
Gould,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: September 5, 2019

*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.

On October 4, 2017, the Maryland Parole Commission revoked the mandatory supervision release of Vincent Davis, appellant. Mr. Davis then sought judicial review of that decision in the Circuit Court for Baltimore County. The Parole Commission, however, was unable to produce a transcript of its proceedings, thus making it impossible for the circuit court to review the matter. Consequently, the circuit court remanded the case for a new revocation hearing. Mr. Davis appeals the order of remand. The Parole Commission, appellee, moves to dismiss the appeal on grounds that this Court lacks jurisdiction over the matter. We shall grant the motion to dismiss.

“The right to appeal, except as authorized by constitution, is regulated entirely by statutes.” *Washington Suburban Sanitary Comm'n v. Lafarge N. Am., Inc.*, 443 Md. 265, 274-75 (2015). Unless a right to appeal is expressly granted by law, an appeal is not permitted from a final judgment of a circuit court entered or made in the exercise of appellate jurisdiction in reviewing the decision of an administrative agency. Md. Code Ann., Cts. & Jud. Proc. § 12-302. As there is no statute which permits appellate review before this Court of a ruling by a circuit court reviewing a decision of the Maryland Parole Commission, we have no jurisdiction to consider this appeal.

Moreover, generally, a litigant may only appeal a final judgment. *URS Corp. v. Fort Myer Construction Corp.*, 452 Md. 48, 65 (2017); Md. Code Ann., Cts. & Jud. Proc. § 12-301 (1973, 2013 Repl. Vol.). “[A] final judgment exists only when the trial court intends an unqualified, final disposition of the matter of the controversy that completely adjudicates all claims against all parties in the suit, and only when the trial court has followed certain procedural steps when entering a judgment in the record.” *URS Corp.* at

65 (internal quotations omitted). Here, because a complete record from the Commission could not be transmitted to the circuit court for judicial review, the circuit court remanded the case to the Commission with instructions to conduct a new revocation hearing, specifically calling for further proceedings. Accordingly, the order did not constitute a final disposition of all claims and, therefore, was not appealable.

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