

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1801

September Term, 2024

BRANDON COREY JACKSON

v.

STATE OF MARYLAND

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

JJ.

PER CURIAM

Filed: July 18, 2025

*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.

Following a 2014 jury trial in the Circuit Court for Wicomico County, Brandon Corey Jackson, appellant, was convicted of attempted first-degree murder, one count of attempted first-degree arson and other related offenses. The court imposed a total sentence of 60 years’ imprisonment. This Court affirmed the judgments in an unreported opinion. *Jackson v. State*, No. 204, Sept. Term, 2015 (filed Jan 26, 2016).

In March 2024, appellant filed a “Motion for Sanction Violation” pursuant to Maryland Rule 4-263(n), wherein he claimed that certain information he had received pursuant to a 2022 MPIA request had not been disclosed to him prior to trial. Although he generally asserted that the new evidence was “exculpatory,” the motion did not set forth why that was the case, or explain how it would have affected the outcome of the trial. The court denied the motion without a hearing, finding that appellant had “failed to allege grounds that would entitle him to relief in light of the procedural history of his case.” This appeal followed. On appeal, appellant contends that the court erred in denying the motion for sanctions. 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 the appeal.

Appellant cites to no authority authorizing the filing of a motion for sanctions pursuant to Rule 4-263 after a criminal trial has concluded. For that reason alone, the circuit court did not err in denying appellant’s motion. Moreover, in our view, appellant is not entitled to pursue a direct appeal from a proceeding unauthorized by law. “In Maryland, criminal defendants do not have a constitutional right to appeal. Instead, the right to seek appellate review is statutory; the Legislature can provide for, or preclude it.” *Douglas v. State*, 423 Md. 156, 170 (2011) (cleaned up). Section 12-301 of the Courts &

Judicial Proceedings Article provides, with exceptions not here pertinent, that “a party may appeal from a final judgment entered in a civil or criminal case by a circuit court.” “A final judgment is one that either determines and concludes the rights of the parties involved or denies a party the means to prosecute or defend his or her rights and interests in the subject matter of the proceeding.” *Douglas*, 423 Md. at 171 (cleaned up).

The motion filed by appellant is not a cognizable post-trial motion in a criminal case. Its denial, therefore, does not constitute a final judgment, and is not, therefore, appealable. If we were to hold that the denial of this motion was appealable, then litigants who invent their own method of litigation unauthorized by law would then create for themselves greater appellate rights than litigants who follow extant law and procedure. That cannot be the law. Consequently, pursuant to Maryland Rule 8-602, we dismiss this appeal.¹

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

¹ Nothing in this opinion is meant to comment on the merits of appellant’s contentions or prejudice appellant’s ability to pursue the relief he seeks through existing lawful mechanisms.