

Circuit Court for Baltimore City
Case No:109005007

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2258

September Term, 2019

TAVON SINGLETARY

v.

STATE OF MARYLAND

Nazarian,
Shaw Geter,
Raker, Irma S.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 10, 2020

*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, Tavon Singletary, the appellant, filed a motion in the Circuit Court for Baltimore City which he captioned “Motion for New Hearing.” In the motion, he raised ineffective assistance of counsel claims related to a criminal case for which he is imprisoned. After the circuit court summarily denied the motion, Mr. Singletary filed a notice of appeal. The State moves to dismiss the appeal as not allowed by law. We shall grant the State’s motion and dismiss the appeal because, as the State points out, it appears that Mr. Singletary is attempting to challenge a 2015 decision by the circuit court related to a post-conviction petition and/or the circuit court’s 2011 revocation of his probation. Appellate review of a decision by the post-conviction court or a decision revoking probation, however, is by way of a timely filed application for leave to appeal. *See* Md. Code, Criminal Procedure § 7-109(a) and Courts & Judicial Proceedings § 12-302(g). Mr. Singletary’s notice of appeal was neither timely nor the appropriate vehicle for challenging the decisions of the circuit court related to his ineffective assistance of counsel claims or the revocation of his probation.

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