

Circuit Court for Baltimore County
Case No. 03-K-07-002978

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 662

September Term, 2022

STEPHEN NIVENS

v.

STATE OF MARYLAND

Kehoe,
Beachley,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 20, 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.

Stephen Nivens, appellant, appeals from the denial, by the Circuit Court for Baltimore County, of a petition for writ of habeas corpus, in which Mr. Nivens challenged “the legality of his arrest, detention, [and] commitment.” The State moves to dismiss the appeal “because it is not allowed by law.” We agree with the State. Md. Code (2001, 2018 Repl. Vol., 2021 Supp.), § 7-107(b)(1) of the Criminal Procedure Article, states: “In a case in which a person challenges the validity of confinement under a sentence of imprisonment by seeking the writ of habeas corpus . . . , a person may not appeal to the Court of Appeals or the Court of Special Appeals.” Accordingly, we grant the State’s motion, and dismiss the appeal.

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