

Circuit Court for Baltimore City
Case No.:112243034

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 668

September Term, 2025

ERNEST HARRISON

v.

STATE OF MARYLAND

Arthur,
Shaw,
Beachley, Donald E.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: March 23, 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.

In 2014, Ernest Harrison, appellant, was convicted of possession of heroin with the intent to distribute (“PWID”) and illegal possession of a regulated firearm. The sentences for those convictions, following modifications thereto, is eighteen years for the PWID offense and a consecutive five years, without parole, for the firearm offense. The convictions in this case prompted a violation of a probation in another case (Case No. 108067016); the court revoked his probation and ordered Mr. Harrison to serve seven years, to run consecutively to the sentences in this case.

In April 2025, Mr. Harrison filed a motion pursuant to § 8-505 of the Health-General Article of the Maryland Code seeking an evaluation for “a long standing addiction to alcohol,” but acknowledging he “is currently sober.” The State opposed the motion, noting: (1) an insufficient allegation of alcohol or drug dependency; and (2) Mr. Harrison has yet to begin serving the consecutive five-year non-parolable sentence for the firearm offense in this case or the seven-year sentence in the other case that runs consecutively to the sentences in this case. The State also asserted that H.G. § 8-505 and § 8-507 were not intended “to create an ‘end run’ around the original sentence” and emphasized that Mr. Harrison “has an opportunity for an early release for good behavior pursuant to an established parole system.” Accordingly, the State urged the court “to exercise its discretion” and deny the motion without the need for a hearing. Two days later, the court denied the motion, without explanation.

In his *pro se* appeal, Mr. Harrison contends that the court erred in denying his motion based on a mistaken notion that he was not eligible for relief. We disagree. There is nothing in the record before us that indicates that the court did not understand the law or

failed to exercise its discretion when ruling on Mr. Harrison’s motion. *See Trimble v. State*, 491 Md. 378, 405 (2025) (“Absent an indication that the trial judge misstated or misapplied legal principles, we presume that trial judges know the law and apply it properly.”) Accordingly, we shall grant the State’s motion to dismiss this appeal as not allowed by law. *See Fuller v. State*, 397 Md. 372, 380 (2007).

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