

Circuit Court for Washington County  
Case No: C-21-CV-18-000770

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 2873

September Term, 2018

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DAVID A. BREADY

v.

DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES

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Graeff,  
Berger,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: October 5, 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 2018, David Bready, appellant, petitioned for judicial review in the Circuit Court for Washington County, challenging a decision of the Inmate Grievance Office. Concurrent with the filing of his petition, Mr. Bready requested that the court waive or reduce its filing fees due to his purported indigency. Noting that Mr. Bready possessed \$782.24 in his commissary account, the court denied his request and notified Mr. Bready that failure to pay the “unwaived costs” within 10 days would result in his petition being “considered withdrawn.” In response, Mr. Bready tendered the \$165.00 filing fee and his petition for judicial review was formally accepted by the court.

Notwithstanding, Mr. Bready notes the present appeal from the court’s order denying his request to waive or reduce the filing fees associated with his petition for judicial review. He asserts that it was legal error for the court to deny his request because he was “entitled to judicial review” of the IGO’s decision. In response, the State moves to dismiss the appeal as not allowed by law. For the following reasons, we shall grant the motion to dismiss the appeal.

The present appeal is premature as it stems from an order which does not constitute a final judgment. Generally, parties may only appeal the entry of a final judgment. *See* § 12-301 of the Courts and Judicial Proceedings Article. In part, to constitute a final judgment, the court’s ruling “must adjudicate or complete the adjudication of all claims against all parties.” *McLaughlin v. Ward*, 240 Md. App. 76, 83 (2019). Because Mr. Bready paid the requisite \$165.00 filing fee, his petition for judicial review was permitted to proceed despite the court’s denial of his fee waiver request. The court’s denial, therefore, did not complete or adjudicate his claim. As the State correctly argues, the “denial of the

fee waiver motion is not an unqualified, final disposition of the matter because it does not decide the merits of Mr. Bready’s petition for judicial review of the IGO’s decision dismissing his grievance.” Moreover, Mr. Bready does not direct this Court to any authority which asserts that the denial of a fee waiver request, followed by the payment of the filing fee which preserves the action for consideration, is a justiciable interlocutory order.

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