

Circuit Court for Baltimore County
Case No. 03-K-17-004364

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 535

September Term, 2023

DANIEL PATRICK DEGOTO

v.

STATE OF MARYLAND

Wells, C.J.,
Zic,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 20, 2023

*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

Daniel Patrick Degoto, appellant, appeals from the dismissal, by the Circuit Court for Baltimore County, of a petition for postconviction relief. Mr. Degoto contends that, for numerous reasons, the court erred in dismissing the petition. But, as the State notes, Md. Code (2001, 2018 Repl. Vol., 2022 Supp.), § 7-109 of the Criminal Procedure Article, states that “a person aggrieved by the order” of a court in a postconviction proceeding must seek review of the order not by appeal, but by application to this Court for leave to appeal. Mr. Degoto did not file such an application, and accordingly, we dismiss the appeal.

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