

Circuit Court for Somerset County  
Case No.: C-19-CV-24-000074

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 882

September Term, 2024

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IN THE MATTER OF DEON TURNER

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Arthur,  
Friedman,  
Kenney, James A., III  
(Senior Judge, Specially Assigned)  
JJ.

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PER CURIAM

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Filed: December 5, 2024

\* 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.

Appellant, Deon Turner, an incarcerated individual at Eastern Correctional Institution, filed a petition for judicial review of a decision of the Inmate Grievance Office and a request for waiver of prepaid costs in the Circuit Court for Somerset County. The circuit court denied Mr. Turner’s request to waive prepaid fees, noting that Mr. Turner had “sufficient funds in his account to pay the filing fees” and that “[t]he Court has granted five prior waivers in the last year.” Mr. Turner failed to pay the filing fees and his filings were withdrawn pursuant to Maryland Rule 1-325(e)(3). He thereafter noted this appeal.

On appeal, Mr. Turner does not dispute that he has sufficient funds to pay the filing fees. Instead, he challenges the court’s statement regarding the number of waivers granted to him previously, noting that “in reality” the court “granted just two waivers[.]” However, waiver of prepaid filing fees is permitted where “the court finds that the party is unable by reason of poverty to pay the prepaid cost and that the pleading or paper sought to be filed does not appear, on its face, to be frivolous[.]” Md. Rule 1-325(e)(3). Here, because it is undisputed that Mr. Turner was able to pay the filing fees, his request was properly denied. That the court may – or may not – have granted additional waivers previously is of no consequence to these facts.

**JUDGMENT OF THE CIRCUIT  
COURT FOR SOMERSET  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**