

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 2201

September Term, 2023

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SHAUNESI Y. DEBERRY

v.

STATE OF MARYLAND

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Nazarian,  
Reed,  
Harrell, Glenn T., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: November 1, 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.

Following a jury trial in the Circuit Court for Anne Arundel County, Shaunesi Y. DeBerry, appellant, was convicted of second-degree assault. In March 2023, the court sentenced appellant to three years' incarceration, with all but time served suspended, followed by three years' probation. This Court affirmed her sentence on direct appeal. *DeBerry v. State*, Nos. 114, 774, & 1526, Sept. Term, 2023 (filed April 4, 2024).

Thereafter, appellant has filed numerous motions in her criminal case. Appellant now appeals from the court's orders addressing 11 of those motions, specifically:

- A January 16, 2024, order denying her “Motion for Guidance;”
- A January 16, 2024, order denying of her “Motion to Stay;”
- A January 16, 2024, denial of her “Motion to Stop Harassment;”
- A January 16, 2024, order withholding ruling on her “Emergency Motion to Waive Fees” until a subsequently scheduled VOP hearing;
- A January 17, 2024, order denying her “Motion to Recuse Judge Christine Marie Celeste or in the alternative demand a mental evaluation for her mental fitness and competency to service [sic] Anne Arundel County District 5;”
- A January 18, 2024, order denying her “Motion for Handwriting Samples of Agent Hannah Warren and Tiffany Dunkel;”
- A January 18, 2024, order denying her “Motion to Recuse Judge Christine Marie Celeste;”
- A February 17, 2024, order denying “Motion for Clarity on Malfeasance Discrimination by Judge Donna Schaeffer;”

- A February 17, 2024, order denying her “Motion to Recuse Honorable Judge Ginina A. Jackson-Stevenson;”
- A February 17, 2024, order denying “Motion for Reconsideration of Denial for Clarity;” and
- A March 7, 2024, order denying “Motion to Recuse slate-mate [sic] of Judge Celeste, Judge Michael Wachs.”

On appeal, appellant contends that the court erred in denying these motions. The State has filed a motion to dismiss the appeal as not allowed by law. For that reasons that follow, we shall grant the motion to dismiss the appeal.

“In Maryland, criminal defendants do not have a constitutional right to appeal. Instead, the right to seek appellate review is statutory; the Legislature can provide for, or preclude it.” *Douglas v. State*, 423 Md. 156, 170 (2011) (cleaned up). Section 12-301 of the Courts & Judicial Proceedings Article provides, with exceptions not here pertinent, that “a party may appeal from a final judgment entered in a civil or criminal case by a circuit court.” “A final judgment is one that either determines and concludes the rights of the parties involved or denies a party the means to prosecute or defend his or her rights and interests in the subject matter of the proceeding.” *Douglas*, 423 Md. at 171 (cleaned up).<sup>1</sup>

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<sup>1</sup> There are three exceptions to the final judgment rule: “(1) appeals from interlocutory orders specifically allowed by statute; (2) immediate appeals permitted when a circuit court enters final judgment under Maryland Rule 2-602(b); and (3) appeals from interlocutory rulings allowed under the common law collateral order doctrine.” *In re O.P.*, 470 Md. 225, 250 (2020) (footnote omitted). In our view, the denial of appellant’s motions does not meet the requirements of any of these exceptions.

The motions filed by appellant that are the subject of this appeal are either: (1) not recognized by law in a criminal case, or (2) are motions relating to the conditions of her probation, the denial of which can be reviewed by way of an application for leave to appeal in the event that her probation is violated. In either event, the denial of these motions does not constitute a final judgment, and is not, therefore, appealable. Consequently, pursuant to Maryland Rule 8-602, we shall dismiss this appeal.

**MOTION TO DISMISS APPEAL  
GRANTED. COSTS TO BE PAID BY  
APPELLANT.**