

Circuit Court for Montgomery County  
Case No.: 127024C

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 1949

September Term, 2022

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WARREN MATTHEW GIDDINGS

v.

STATE OF MARYLAND

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

JJ.

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PER CURIAM

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Filed: April 26, 2023

\*At the November 8, 2022, general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

\*\*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.

Warren Matthew Giddings, appellant, appeals from an order by the Circuit Court for Montgomery County denying his motion to correct an illegal sentence. The grounds for Giddings’s motion were the same as those this Court rejected in a previous appeal he filed. *See Giddings v. State*, No. 2343, Sept. Term 2019, 2020 WL 6867941 (filed Nov. 23, 2020). Because this Court had already considered and rebuffed Giddings’s argument, the circuit court here denied Giddings’s motion based on the law-of-the-case doctrine.

Under this doctrine, “a decision rendered in a prior appeal is binding in a later appeal.” *Nichols v. State*, 461 Md. 572, 578 (2018) (cleaned up). Put another way, once this Court rules on a question or issue, that ruling “becomes the law of the case” and is binding on the parties and circuit court alike. *Id.* (cleaned up). The Supreme Court of Maryland has specifically held that this doctrine forbids “relitigation of an ‘illegal sentence’ argument that has been presented to[,] and rejected by[,] an appellate court.” *Id.* at 593. Therefore, because Giddings’s motion raised the same argument this Court had already rejected, the circuit court did not err in denying it based on the law-of-the-case doctrine.<sup>1</sup>

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

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<sup>1</sup> In his brief, Giddings also attacks the merits of this Court’s ruling in his prior appeal. Prior decisions by this Court “will generally govern the second appeal, unless (1) the previous decision was patently inconsistent with controlling principles announced by a higher court and is therefore clearly incorrect, and (2) following the previous decision would create manifest injustice.” *Andrulonis v. Andrulonis*, 193 Md. App. 601, 614 (2010) (cleaned up). Because the Supreme Court denied certiorari in Giddings’s previous appeal, *Giddings v. State*, 474 Md. 185 (2021), and he cites only to cases decided before that decision, we do not find our prior ruling to be inconsistent with controlling principles.