

Circuit Court for Montgomery County  
Case No.: 122557C

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 203

September Term, 2024

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DAQUAN TYLER

v.

STATE OF MARYLAND

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Shaw,  
Ripken,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: March 31, 2025

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

Pursuant to instructions set forth in an opinion filed by this Court in *Tyler v. State*, No. 202, September Term, 2021 (filed unreported on March 9, 2023), the Circuit Court for Montgomery County, on March 11, 2024, issued an amended Commitment Record in Daquan Tyler’s criminal case. Mr. Tyler noted an appeal from that action. He maintains that the hearing the court convened, on February 26, 2024, to discuss the amendments this Court directed be made to the Commitment Record constituted a “re-sentencing” and he claims that the court erred in not offering him an opportunity to “allocute or present information in mitigation of punishment.” The State responds that the proceeding was not a re-sentencing. We agree with the State.

We need not reiterate the details of Mr. Tyler’s sentence, as we thoroughly discussed that in our prior opinion. Moreover, the circuit court amended Mr. Tyler’s Commitment Record in accordance with our instructions. Contrary to any notion he may be asserting, the court did not change or alter his sentence but rather corrected errors in the Commitment Record so that it comports with the sentence as originally announced when Mr. Tyler was sentenced in 2013. In short, there was no re-sentencing as no re-sentencing was called for.

**AFFIRMED. COSTS TO BE PAID BY APPELLANT.**