UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND*

No. 225

September Term, 2024

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ANDRE CHAVIS

v.

STATE OF MARYLAND

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Nazarian,
Arthur,
Zarnoch, Robert A.
    (Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: March 3, 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.

A jury sitting in the Circuit Court for Baltimore City convicted Andre Chavis, appellant, of various offenses, including the first-degree murder of Adrian Jenkins and use of a handgun in the commission of a felony or crime of violence in case no. 102060021. The same jury convicted Chavis of the attempted first-degree murder of Noah Rich, use of a handgun in the commission of a felony or crime of violence, first-degree assault of Rich, and related offenses in case no. 102060023. The court sentenced Chavis to the following terms, to run consecutively in this order: life imprisonment (murder of Jenkins), 20 years (handgun offense - Jenkins' murder), life imprisonment (attempted murder of Rich), and 20 years (handgun offense – attempted murder of Rich). The court also sentenced Chavis to 25 years' imprisonment for first-degree assault, to run concurrently with the life sentence for first-degree murder. On direct appeal, this Court vacated the sentence for first-degree assault after concluding it should have merged with the sentence for attempted first-degree murder and otherwise affirmed the judgments. *Chavis v. State*, No. 2999, September Term, 2002 (filed unreported April 16, 2004). Because the first-degree assault sentence was run concurrently with the life sentence, the vacation of that sentence did not alter the running of Chavis's remaining sentences.

In 2014, Chavis filed a Rule 4-345(a) motion to correct an illegal sentence in which he argued that the sentencing court should have merged his convictions for use of a handgun in the commission of a felony or crime of violence into the first-degree murder and attempted first-degree murder convictions. The circuit court denied the motion, and on appeal this Court affirmed that judgment. *Chavis v. State*, No. 1717, September Term, 2014 (filed unreported March 3, 2016).

In March 2024, Chavis filed a motion to amend the commitment record in these cases. He asserted that the sentencing court violated Rule 4-351(a)(5) by failing to identify the beginning and ending dates of each sentence imposed. The circuit court denied relief after finding that the "sentence imposed" by the sentencing court and the "commitment record complies with" the rule. Chavis appeals that judgment.

Rule 4-351(a) addresses the contents of a commitment record. Subsection (a)(5) requires that the commitment record contain: "A statement whether sentences are to run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of the preceding term or to any other outstanding or unserved sentence[.]" On appeal, Chavis maintains that the sentencing court "abused its discretion" because it "was supposed to state on the record the start and end dates for each consecutive sentence."

Chavis's commitment record clearly states the sentencing term for each offense and identifies which sentence it is to run consecutively to. Specifically, it states:

Count 1 of 102060021 (first-degree murder):	life
Count 2 of 102060021 (use of a handgun):	20 years consecutive to Count 1 of 102060021
Count 1 of 102060023 (att. first-degree murder):	life, consecutive to Count 2 of 102060021
Count 4 of 102060023 (use of a handgun):	20 years consecutive to Count 1 of 102060023

Accordingly, we agree with the circuit court that Chavis's commitment record complies with Rule 4-351(a)(5). We disagree with Chavis's position that the commitment record must include a particular date a consecutively run sentence begins and ends as the

Rule does not require such specificity. His commitment record clearly reflects that each consecutive sentence begins when the previous one expires. The expiration of each sentence is reflected in its term. Thus, his first life sentence, which includes no suspended time, expires upon his death.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED. COSTS TO BE PAID BY APPELLANT.