

Circuit Court for Harford County  
Case No: 12-K-09-000478

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 328

September Term, 2022

---

ANTHONY KEITH PAGE

v.

STATE OF MARYLAND

---

Wells, C.J.,  
Tang,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),  
JJ.

---

PER CURIAM

---

Filed: December 5, 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.

On October 18, 2010, Anthony Keith Page, appellant, pleaded guilty in the Circuit Court for Harford County to two counts of possession of child pornography.<sup>1</sup> Thereafter, the court sentenced him to imprisonment for the time he served awaiting trial. Appellant did not thereafter seek leave to appeal his guilty plea in this Court.

More than a decade later, on August 24, 2021 appellant, acting *pro se*, filed a motion to correct an illegal sentence asserting that his sentence is illegal because the trial court allegedly told him that he would not be required to register as a sex offender as a result of pleading guilty when the law requires otherwise.<sup>2</sup> On September 8, 2021, the circuit court summarily denied appellant’s motion, prompting this appeal.<sup>3</sup>

On appeal, appellant, again acting *pro se*, maintains that his sentence is illegal for the reason contained in his motion to correct an illegal sentence. The State first asserts that the matter is moot because Page has fully served his sentence in this case. Next, the State argues that appellant’s contention about what the trial court told him, even if true, does not make his sentence illegal within the narrow meaning of Maryland Rule 4-345(a). We agree with the State.

---

<sup>1</sup> Appellant entered his guilty plea pursuant to the holding of *North Carolina v. Alford*, 400 U.S. 25 (1970).

<sup>2</sup> Even though it seems clear enough from his Brief of Appellant that appellant is in possession of the transcripts of his guilty plea and sentencing proceedings, he has not produced them for our consideration of his appeal.

<sup>3</sup> On appeal, in addition to the contention raised in his motion to correct an illegal sentence filed in the circuit court, appellant also claims that (1) the trial court erred in not holding a hearing on a pre-trial motion to discharge counsel, and (2) he was denied his right to effective assistance of counsel when his counsel did not “file for an appeal” after he pleaded guilty. We decline to address these arguments which appellant makes for first time on appeal.

The Court of Appeals recently reiterated that, although Rule 4-345(a) provides that a “court may correct an illegal sentence at any time[,]” the “phrase ‘at any time’ means that the preservation requirements do not apply to challenges to illegal sentences[.]” *State v. Bustillo*, \_\_\_ Md. \_\_\_, No. 56, Sept. Term, 2021, slip op. at 12 (filed August 24, 2022). The Court noted further that “the only temporal limitation on ‘at any time’ is that the correction must occur before the sentence is fully served.” *Id.* (citing *Barnes v. State*, 423 Md. 75, 86 (2011)).

Accordingly, given that appellant has fully served his sentence, he is not entitled to relief under Rule 4-345(a). We, therefore, shall dismiss this appeal.<sup>4</sup> But even if appellant could belatedly seek to correct his sentence, we would agree with the State that his sentence is not, for the reasons he asserts, inherently illegal within the meaning of Rule 4-345(a).

**APPEAL DISMISSED. COSTS TO BE PAID BY APPELLANT.**

---

<sup>4</sup> The State has moved to dismiss this appeal on the basis that appellant failed to timely perfect an appeal to this Court. Given our resolution of this case, we need not, and do not, address the State’s motion.