Circuit Court for Baltimore City
Case No. 195272008

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 855

September Term, 2024

RONALD EDWIN HARRIS

v.

STATE OF MARYLAND

Wells, C.J.,
Berger,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Wells, C.J.

Filed: September 15, 2025

*This is an unreported opinion. It may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

Appellant Ronald Edwin Harris was 16 years old when he shot and killed Keith Huppert in 1995. Harris pled guilty to second-degree murder and use of a handgun in the commission of a crime of violence, and the circuit court sentenced him to 50 years' incarceration, with all but 20 years suspended, and 5 years' probation.

On February 9, 2022, after Harris served 26 years in prison, he filed a motion seeking to reduce his sentence pursuant to the Juvenile Restoration Act ("JUVRA"), Maryland Code § 8-110 of the Criminal Procedure ("CP") Article. Just three days later, on February 12, 2022, the Maryland Parole Commission granted Harris' petition for parole, and he was released from prison that same day. In January 2024, the circuit court denied Harris' motion under the JUVRA, reasoning Harris was not eligible for relief under the Act because he was not incarcerated when the court ruled on his motion.

Harris timely appealed the circuit court's denial and submits two questions for our review, which we rephrase:[1]

1. Did the circuit court err in determining Harris was ineligible for sentence modification relief under the Juvenile Restoration Act because Harris was released from prison on parole after he requested relief under the Juvenile Restoration Act?

[1] Harris' verbatim questions are:

1. Is a person who has been imprisoned at least twenty years, for a crime committed as a minor, eligible for reduction of their sentence under the JRA, if they have been release [sic] on parole while their Motion for Reduction was pending?

2. Does Ronald Harris qualify for reduction of his sentence under the JRA, where the trial court found that a majority of the factors enumerated in the statute as considerations weighed heavily in favor of Mr. Harris?

2. Did the circuit court err in weighing certain CP § 8-110(d) factors against Harris?

The State concedes the circuit court erred in determining Harris was ineligible for sentence modification relief under the JUVRA, and we agree. Consequently, we answer the first question in the affirmative. However, we do not answer Harris' second question because the circuit court did not specify whether it would have granted or denied Harris' motion to reduce his sentence pursuant to the JUVRA based upon its analysis of the CP § 8-110(d) factors. Accordingly, we vacate the circuit court's denial of Harris' motion and remand for further proceedings consistent with this opinion.

FACTUAL AND PROCEDURAL BACKGROUND

On August 15, 1995, Harris shot and killed Keith Huppert in the Bolton Hill neighborhood of Baltimore City. Harris was 16 years old at the time. He pled guilty to second-degree murder and use of a handgun in the commission of a crime of violence. The circuit court sentenced him to 50 years' incarceration, with all but 20 years suspended, and 5 years' probation.

During his detention and prior to entering a guilty plea, Harris was involved in a prison fight and assaulted another inmate. Harris pled guilty to this assault and was sentenced to an additional five years' imprisonment, to be served consecutively. In 2004, Harris struck a correctional officer and was sentenced to an additional six months' imprisonment, also to be served consecutively. Thereafter, from 2004 until his release from prison, Harris did not commit any infractions while incarcerated.

On February 9, 2022, Harris filed a Motion for Reduction of Sentence Pursuant to the JUVRA after being incarcerated for over 26 years. Three days later, on February 12, 2022, the Maryland Parole Commission granted Harris' petition for parole, and he was released from prison that same day.

On March 14, 2022, the circuit court issued an order holding Harris' motion in abeyance with it to be set for a hearing upon Harris' filing of a written request for a hearing. On April 13, 2023, Harris filed a second Motion for Reduction of Sentence Pursuant to the JUVRA. The State filed a response in opposition, arguing Harris was ineligible for relief under the JUVRA because he was no longer incarcerated.

The circuit court held a hearing on Harris' motion on January 12, 2024. In a written memorandum opinion issued January 22, 2024, the circuit court concluded Harris was not eligible for sentence reduction relief under the JUVRA because "the plain language of the [JUVRA] clearly and unambiguously establishes that the legislature intended the statute to apply only to those individuals currently incarcerated for their offenses." Notwithstanding its determination that Harris was ineligible for relief under the JUVRA, the circuit court analyzed the 11 factors enumerated in CP § 8-110(d). The court determined seven factors weighed in favor of reducing Harris' sentence, three factors weighed against him, and one factor was neutral.[2] However, the court did not specify whether it would have granted or

[2] The three factors the circuit court weighed against Harris are: the nature of the offense and the history and characteristics of the individual (CP § 8-110(d)(2)); any statement offered by a victim or a victim's representative (CP § 8-110(d)(6)); and the extent of the individual's role in the offense and whether and to what extent an adult was involved

denied Harris' request based upon its analysis of the CP § 8-110(d) factors—the court denied the motion solely because it determined he was not eligible for relief under the JUVRA due to being released from prison on parole.

STANDARD OF REVIEW

"[T]he decision to grant or deny a motion for reduction of sentence under CP § 8-110 generally rests in the discretion of the circuit court upon consideration of the required factors." *Sexton v. State*, 258 Md. App. 525, 541 (2023). However, "the circuit court's discretion is tempered by the requirement that the court apply the correct legal standards. When a court fails to do so, it abuses its discretion." *Id.* at 541–42 (internal citations and quotation marks omitted). "Whether the circuit court properly construed and applied CP § 8-110 is a question of law that we review *de novo*." *Id.*

DISCUSSION

I. The Circuit Court Erred in Determining Harris Was Not Eligible for Relief Under the Juvenile Restoration Act.

A. Juvenile Restoration Act

The Maryland General Assembly enacted the JUVRA in 2021. 2021 Laws of Maryland Chapter 61.

> JUVRA made three significant changes to Maryland's sentencing practices for juvenile offenders convicted as adults. Specifically, it gave sentencing courts discretion to impose sentences less than the minimum required by law,

in the case (CP § 8-110(d)(9)). The circuit court considered neutral CP § 8-110(d)(3): whether the individual has substantially complied with the rules of the institution in which the individual has been confined. The circuit court weighed the seven remaining factors, including "any other factor the court deems relevant" under CP § 8-110(d)(11), in favor of reducing Harris' sentence.

> prospectively banned sentences of life without the possibility of parole, and authorized offenders sentenced before October 1, 2021 who have spent more than 20 years in prison to file a motion to reduce their remaining sentence.

Malvo v. State, 481 Md. 72, 85 (2022). Only the final provision authorizing a motion to reduce a sentence is relevant in this case.

The JUVRA only applies to an individual who:

> (1) was convicted as an adult for an offense committed when the individual was a minor;
> (2) was sentenced for the offense before October 1, 2021; and
> (3) has been imprisoned for at least 20 years for the offense.

CP § 8-110(a). "An individual described in subsection (a) [of CP § 8-110] may file a motion with the court to reduce the duration of their sentence." CP § 8-110(b)(1). After a court conducts a hearing on a motion to reduce the duration of a sentence,

> the court may reduce the duration of a sentence imposed on an individual for an offense committed when the individual was a minor if the court determines that:
> (1) the individual is not a danger to the public; and
> (2) the interests of justice will be better served by a reduced sentence.

CP 8-110(c). The court must consider the following factors, in writing, when deciding whether to reduce the duration of a sentence under the JUVRA:

> (1) the individual's age at the time of the offense;
> (2) the nature of the offense and the history and characteristics of the individual;
> (3) whether the individual has substantially complied with the rules of the institution in which the individual has been confined;
> (4) whether the individual has completed an educational, vocational, or other program;
> (5) whether the individual has demonstrated maturity, rehabilitation, and fitness to reenter society sufficient to justify a sentence reduction;
> (6) any statement offered by a victim or a victim's representative;
> (7) any report of a physical, mental, or behavioral examination of the individual conducted by a health professional;

(8) the individual's family and community circumstances at the time of the offense, including any history of trauma, abuse, or involvement in the child welfare system;
(9) the extent of the individual's role in the offense and whether and to what extent an adult was involved in the offense;
(10) the diminished culpability of a juvenile as compared to an adult, including an inability to fully appreciate risks and consequences; and
(11) any other factor the court deems relevant.

CP § 8-110(d); *see also* CP § 8-110(e) (writing requirement).

B. Parties' Contentions

Harris contends the circuit court erred in concluding he was not eligible for relief under the JUVRA because he had been released from prison and was paroled. Harris argues the phrase "has been imprisoned" in CP § 8-110(a)(3) is in present perfect tense and does not automatically mean that a petitioner "has been and is currently imprisoned." He also argues the fact that he was not imprisoned when the circuit court considered his motion "does not alter the fact that he *has been* imprisoned[.]" Harris additionally notes parolees are still serving a sentence as they remain in legal custody; therefore, their sentences can be reduced, and the legislature intended their sentences be reduced when it passed the JUVRA.

Harris also claims courts throughout the state have "been inconsistent in [their] position on [JUVRA] eligibility for those on parole." He points to a recent case in the Circuit Court for Baltimore City in which that court found a defendant on parole eligible for relief under the JUVRA. Inconsistent application aside, Harris contends it would be absurd for those granted parole to be ineligible for JUVRA sentence modification relief because that would force incarcerated individuals "to choose between remaining

incarcerated in order to apply for [JUVRA] relief or seeking release on parole and foregoing their chance at a remedy under the [JUVRA].” Finally, Harris argues that, even if an individual released on parole is ineligible for relief under the JUVRA, Harris is eligible because he filed his motion while still incarcerated.

The State concedes the circuit court erred in determining Harris was ineligible for relief under the JUVRA. Specifically, the State posits that, even if the language “has been imprisoned” in CP § 8-110(a)(3) implies a requirement of current incarceration when an individual files a motion for sentence modification under the JUVRA, “no language in CP § 8-110 requires that a movant must remain incarcerated while their motion is pending to receive sentence modification relief.” Because Harris was incarcerated when he filed his motion, the State argues he was eligible to have the circuit court consider it on the merits. The State further contends it is unnecessary for us to determine whether individuals released on parole before filing a motion for relief under the JUVRA are eligible for such relief because this case does not involve an individual who was released from prison on parole when he filed such a motion.

C. Analysis

“We assume that the legislature’s intent is expressed in the statutory language and thus our statutory interpretation focuses primarily on the language of the statute to determine the purpose and intent of the General Assembly.” *Johnson v. State*, 467 Md. 362, 371 (2020) (quoting *Blackstone v. Sharma*, 461 Md. 87, 113 (2018)). Therefore, “[w]e begin our analysis by first looking to the normal, plain meaning of the language of the

statute, reading the statute as a whole to ensure that no word, clause, sentence[,] or phrase is rendered surplusage, superfluous, meaningless[,] or nugatory." *Douglas v. State*, 423 Md. 156, 178 (2011) (quoting *Evans v. State*, 420 Md. 391, 400 (2011)). "We, however, do not read statutory language in a vacuum, nor do we confine strictly our interpretation of a statute's plain language to the isolated section alone." *Lockshin v. Semsker*, 412 Md. 257, 275 (2010). "Rather, the plain language must be viewed within the context of the statutory scheme to which it belongs, considering the purpose, aim, or policy of the [l]egislature in enacting the statute." *Id.* at 276. Moreover, "[i]n every case, the statute must be given a reasonable interpretation, not one that is absurd, illogical, or incompatible with common sense." *Id.*

Additionally, the "JUVRA is a remedial statute and must be construed liberally." *Johnson v. State*, 258 Md. App. 71, 89 (2023) (citation and internal quotation marks omitted). However, this "does not grant us license to redraft the statute beyond its clear meaning and the legislature's intent." *Washington v. State*, 450 Md. 319, 334–35 (2016) (citation and internal quotation marks omitted). "Therefore, we do not add provisions or tailor existing ones to change the mandatory nature of the statute's language in order to favor" Harris. *Id.* at 335 (citation and internal quotation marks omitted).

Pertinent to this appeal, if an individual meets the eligibility requirements of CP § 8-110(a), the individual "may *file* a motion with the court to reduce the duration of the sentence." CP § 8-110(b)(1) (emphasis added). "An eligible offender who files a motion to reduce the offender's remaining sentence is entitled to a hearing" before a court. *Jedlicka*

v. State, 481 Md. 178, 189 (2022); CP § 8-110(b)(2) ("A court *shall* conduct a hearing on a motion to reduce the duration of a sentence.") (emphasis added). The court must consider the factors listed in CP § 8-110(d) and issue a written decision granting or denying an individual's motion to reduce their sentence pursuant to the JUVRA. CP § 8-110(d) ("A court *shall* consider the following factors . . . .") (emphasis added); CP § 8-110(e)(1) ("The court *shall* issue its decision . . . .") (emphasis added).

A plain reading of CP § 8-110 in its entirety indicates that the eligibility requirements of CP § 8-110(a) only limit who may file a motion for relief under the JUVRA and have that motion considered on the merits. An individual who meets the eligibility requirements of CP § 8-110(a) may file a motion to reduce their sentence pursuant to the JUVRA, and after such filing, a court must conduct a hearing, consider certain factors listed in CP § 8-110(d), and issue a written decision granting or denying the individual's motion on the merits.

In this case, when Harris moved for relief under the JUVRA, he met the eligibility requirements under CP § 8-110(a). The State does not dispute this. Harris was convicted as an adult for an offense he committed when he was a minor. CP § 8-110(a)(1). He was sentenced for that offense before October 1, 2021. CP § 8-110(a)(2). And, at the time of filing, he "ha[d] been imprisoned for at least 20 years for [that] offense." CP § 8-110(a)(3). The fact that Harris was released from prison on parole *after* he filed his motion has no impact on his eligibility for sentence modification relief under the JUVRA. Furthermore, because Harris was in prison when he filed his motion, we do not currently need to

determine whether the language "has been imprisoned" under CP § 8-110(a)(3) *requires* an individual to be in prison at the time they file a motion to reduce their sentence pursuant to the JUVRA.

We conclude the circuit court erred in determining Harris was ineligible for relief under the JUVRA because he met the CP § 8-110(a) eligibility requirements when he filed his motion, notwithstanding his release from prison on parole after filing his motion.[3]

II. We Do Not Determine Whether the Circuit Court Erred in Weighing Certain CP § 8-110(d) Factors Against Harris.

Harris contends the circuit court erred in weighing three CP § 8-110(d) factors against reducing his sentence. In response, the State argues the alleged errors are immaterial as the circuit court did not specify whether it would have granted or denied Harris' motion based upon its analysis of the eleven factors. Because the court denied Harris' motion solely based on its determination he was not eligible for relief under the JUVRA, the State contends the court's weighing of the CP § 8-110(d) factors "had no

[3] Both Harris and the State cite *Kranz v. State*, 459 Md. 456 (2018), as support for the contention that Harris is eligible for relief under the JUVRA. In *Kranz*, the Supreme Court of Maryland held the Maryland Uniform Postconviction Procedure Act ("UPPA") requirement that a postconviction petitioner be in custody "requires the petitioner to be 'in custody' at the time of filing and not . . ." that the petitioner "remain in custody throughout litigation of the petition, including the appeal, if any." *Id.* at 476–77.

While the conclusion reached by the *Kranz* Court is similar to the conclusion we reach in this case about the CP § 8-110(a) eligibility requirements only limiting who may file a motion for relief under the JUVRA and have that motion considered on the merits, the statutory language of the UPPA differs from the language of the JUVRA. Therefore, we do not find *Kranz* particularly relevant to our analysis in this case.

connection to the court's decision to deny Harris'[] modification motion." We agree with the State.

Because Harris met the CP § 8-110(a) eligibility requirements when he filed his motion, the circuit court was required to issue a written decision granting or denying Harris' motion on the merits. Although the court weighed and addressed the CP § 8-110(d) factors in its denial of Harris' motion, the court did not express whether it would have granted or denied the motion in light of its analysis of those factors. The court denied relief solely based on its incorrect determination that he was ineligible for sentence modification relief under the JUVRA because he had been released from prison and was on parole. Therefore, we do not know if the court's assessment of the CP § 8-110(d) factors—including weighing three factors against reducing Harris' sentence—aggrieved Harris.

"Generally, a party cannot appeal from a judgment or order which is favorable to him, since he is not thereby aggrieved." *Adm'r, Motor Vehicle Admin. v. Vogt*, 267 Md. 660, 664 (1973). It would be improper for this Court to evaluate whether the circuit court erred in weighing certain CP § 8-110(d) factors against Harris if we do not know whether the court's weighing of those factors meant the court ruled against him. Accordingly, we vacate the circuit court's judgment and remand to the circuit court for further consideration on the merits. "In so holding, we express no opinion on the proper result in deciding [Harris' motion on the merits]—that matter is committed to the sound discretion of the circuit court." *Sexton*, 258 Md. App. at 545. "On remand, the circuit court should again [in writing] weigh and address the factors set forth in CP § 8-110(d) and make the

determinations required by CP § 8-110(c)[.]" *Id.* The court must also comply with CP § 8-110(e) by issuing a written decision that ultimately grants or denies the motion.

THE JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY IS VACATED AND REMANDED FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION. APPELLEE TO PAY THE COSTS.