

Circuit Court for Wicomico County
Case No. 22-K-15-000129

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1065

September Term, 2024

MAJOR L. RICHARDSON, III

v.

STATE OF MARYLAND

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

JJ.

PER CURIAM

Filed: July 18, 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.

In 2015, Major L. Richardson, III, appellant, was convicted of one count of possession with intent to distribute cocaine following a bench trial on an agreed statement of facts in the Circuit Court for Wicomico County. The court sentenced him as a third-time offender to a term of 25 years’ imprisonment without the possibility of parole pursuant to Section 5-609(c) of the Criminal Law Article.

In 2024, appellant filed a motion to correct illegal sentence, asserting that his sentence was illegal because: (1) there was insufficient evidence that he possessed the cocaine; (2) the State committed a *Brady* violation by failing to turn over exculpatory evidence regarding an immunity deal granted to his co-defendant; (3) the trial court erred in not suppressing a witness’s out-of-court confession; (4) he was unlawfully detained and searched by the police; (5) the police lacked probable cause to arrest him; (6) the court erred in admitting various evidence at trial; and (7) the police “initially, wholly lacked the intent to prosecute.” The court denied the motion without a hearing. On appeal, appellant raises the same claims as he did in his motion for illegal sentence.¹ For the reasons that follow, we shall affirm the judgment of the circuit court.

The Supreme Court of Maryland has explained that there is no relief, pursuant to Maryland Rule 4-345(a), where “the sentences imposed were not inherently illegal, despite some form of error or alleged injustice.” *Matthews v. State*, 424 Md. 503, 513 (2012). A

¹ For the first time on appeal, appellant briefly notes that the circuit court had previously denied his motion for modification of sentence pursuant to the Justice Reinvestment Act (JRA). However, the court denied that motion in 2017, and appellant did not file a timely notice of appeal. Consequently, that issue is not properly before us in this appeal. Moreover, we note that nothing in the language of the JRA rendered appellant’s sentence inherently illegal.

sentence is “inherently illegal” for purposes of Rule 4-345(a) where there was no conviction warranting any sentence, *Chaney v. State*, 397 Md. 460, 466 (2007); where the sentence imposed was not a permitted one, *id.*; or where the sentence imposed exceeded the sentence agreed upon as part of a binding plea agreement, *Matthews*, 424 Md. at 514. A sentence may also be “inherently illegal” where the underlying conviction should have merged with the conviction for another offense for sentencing purposes, where merger was required. *Pair v. State*, 202 Md. App. 617, 624 (2011). Notably, however, a “motion to correct an illegal sentence is not an alternative method of obtaining belated appellate review of the proceedings that led to the imposition of judgment and sentence in a criminal case.” *Colvin v. State*, 450 Md. 718, 725 (2016) (quotation marks and citation omitted).

With those principles in mind, we conclude that appellant’s claims, even if true, would not render his sentence inherently illegal. Consequently, the court did not err in denying appellant’s motion to correct illegal sentence.

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