

Circuit Court for Harford County  
Case No. 12-K-12-000458

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 1919

September Term, 2021

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JEREMY SHANE COCHRAN

v.

STATE OF MARYLAND

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Berger,  
Reed,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: July 7, 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.

Jeremy Shane Cochran, appellant, challenges the denial, by the Circuit Court for Harford County, of a “Motion for Improper Jury Instructions” (hereinafter “the motion”). For the reasons that follow, we shall affirm the judgment of the circuit court.

In September-October 2012, Mr. Cochran was tried before a jury in the circuit court on charges of sexual abuse of a minor-continuing course of conduct, sexual abuse of a minor, and conspiracy to commit sexual abuse of a minor. Following deliberations, the jury declared itself deadlocked, and the court declared a mistrial. In December 2012, Mr. Cochran was again tried before a jury on the charges. The jury subsequently convicted Mr. Cochran of the offenses, and we subsequently affirmed the convictions. *Cochran v. State*, No. 86, Sept. Term 2013 (filed July 2, 2014).

In January 2022, Mr. Cochran filed the motion, in which he requested that the court “vacate the judgment” due to what he alleged to be error in the court’s instructions to the jury at his first trial. Mr. Cochran contended that the error “created a grave risk that [the] jury misapplied the law and [was] the reason they could not come to a verdict.” The court denied the motion.

Mr. Cochran contends that for numerous reasons, the court erred in denying the motion. But, a party may normally appeal from only a final judgment, Md. Code (1974, 2020 Repl. Vol., 2021 Supp.), § 12-301 of the Courts and Judicial Proceedings Article, and when a jury does not return a verdict as to a count against a defendant, there is no final judgment as to that count. *Caldwell v. State*, 164 Md. App. 612, 648 (2005). Because the jury at Mr. Cochran’s first trial did not return any verdicts as to the counts against him, the

trial did not result in any final judgment from which Mr. Cochran can appeal. Hence, the court did not err in denying the motion.

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