

Circuit Court for Baltimore City
Case No. 122153007

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 2000

September Term, 2024

CHRISTOPHER T. ROBINSON

v.

STATE OF MARYLAND

Berger,
Tang,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 2, 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.

Christopher T. Robinson, appellant, appeals the denial, by the Circuit Court for Baltimore City, of his motion to correct an illegal sentence. For the reasons that follow, we shall affirm.

In 2023, appellant pleaded guilty to one count of attempted first-degree murder and one count of use of a firearm in the commission of a felony or crime of violence. The court imposed concurrent sentences of 50 years' imprisonment, with all but 35 years suspended, on the attempted first-degree murder count, and 20 years' imprisonment, with all but fifteen years suspended, on the unlawful use of a firearm count. In 2024, appellant filed a "Motion to Vacate and/or Correct an Illegal Sentence," claiming that the court erred in not merging his sentence for unlawful use of a firearm into his sentence for attempted first-degree murder because both offenses "arose[] out of the same transaction." That motion was denied without a hearing and this appeal followed.

As he did in the circuit court, appellant claims that his sentences should have merged because they arose out of the same transaction. But the Supreme Court of Maryland has held that "a defendant who uses a handgun in the commission of a felony or crime of violence is guilty of a separate misdemeanor, independent of the underlying felony or crime of violence, and is subject to a separate minimum mandatory sentence." *Parrison v. State*, 335 Md. 554, 559 (1994) (citing *Whack v. State*, 288 Md. 137, 148–49 (1980) and *Dillon v. State*, 277 Md. 571, 584 (1976)). Accordingly, merger was not required, and the circuit court did not err in denying appellant's motion to correct an illegal sentence.

**JUDGMENT OF THE CIRCUIT
COURT FOR BALTIMORE CITY**

**AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**