

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1754

September Term, 2015

COREY T. LOMAX

v.

STATE OF MARYLAND

Krauser, C.J.,
Nazarian,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 8, 2017

*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.

In 1991, following a jury trial in the Circuit Court for Baltimore City, Corey T. Lomax, appellant, was convicted of first-degree murder, attempted first-degree murder, and related handgun offenses. The court subsequently sentenced him to life imprisonment for the murder conviction, and to a consecutive term of life for attempted murder. Upon appeal, this Court affirmed. *Lomax v. State*, No. 1369, Sept. Term, 1991 (filed July 14, 1992).

In 2015, Lomax filed a motion to correct an illegal sentence in which he asserted that his life sentences were illegal because the trial court had granted his motion for judgment of acquittal on the charges of first-degree murder and attempted first-degree murder and thus, those counts should not have been submitted to the jury. Following a hearing, the circuit court found that the trial court had denied Lomax’s motion for judgment of acquittal on those counts and, accordingly, denied the motion to correct his sentence. Lomax appeals that judgment.

We affirm the judgment of the circuit court because both the trial transcript and the docket entries clearly support the circuit court’s finding that the trial court had *denied* Lomax’s motion for judgment of acquittal on the charges at issue here. Indeed, Lomax acknowledged that fact in his 1991 appeal where he argued that the trial court erred in *denying* his motion for judgment of acquittal on the counts of first-degree murder and attempted first-degree murder – a contention we rejected. *See* slip op. at 3-4.

**JUDGMENT OF THE CIRCUIT COURT
FOR BALTIMORE CITY AFFIRMED.
COSTS TO BE PAID BY APPELLANT.**