

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1406

September Term, 2013

JOHN HAROLD MARTIN

v.

STATE OF MARYLAND

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

JJ.

PER CURIAM

Filed: June 21, 2016

*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.

John Harold Martin, appellant, appeals the denial, by the Circuit Court for Prince George’s County, of his motion to correct an illegal sentence. Martin contends that his sentence to life imprisonment was illegal because the trial court, in 1981, before accepting his guilty plea to first-degree murder, failed to find a factual basis to support the plea. Martin raised this same issue in a previous motion to correct an illegal sentence and upon the circuit court’s denial of that motion, this Court affirmed the judgment. *John Harold Martin v. State of Maryland*, No. 338, September Term 2009 (filed April 26, 2010). Accordingly, because a panel of this Court has previously addressed and rejected the illegal sentence claim Martin is raising in this appeal, we affirm the circuit court’s judgment under the law of the case doctrine. *Scott v. State*, 379 Md. 170, 183-184 (2004) (the law of the case doctrine, binding litigants and lower courts to an appellate ruling, applies also to a panel of the same appellate court in a subsequent appeal). We have previously held that the law of the case doctrine prevents “relitigation of an ‘illegal sentence’ argument that has been presented to and rejected by an appellate court.” *State v. Garnett*, 172 Md. App. 558, 562, *cert. denied*, 399 Md. 594 (2007).

**JUDGMENT OF THE CIRCUIT
COURT FOR PRINCE GEORGE’S
COUNTY AFFIRMED. COSTS TO BE
PAID BY APPELLANT.**