

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 459

September Term, 2016

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ROBERT PAUL LUCAS

v.

STATE OF MARYLAND

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

JJ.

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PER CURIAM

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Filed: May 3, 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 2001, a jury, in the Circuit Court for Montgomery County, convicted appellant, Robert Paul Lucas, of second-degree murder, first-degree burglary, and robbery with a dangerous or deadly weapon. The circuit court subsequently sentenced Lucas to a total term of seventy years' imprisonment, with all but forty-two and one-half years suspended. Lucas appealed and this Court affirmed his convictions. *Lucas v. State*, No. 1436, September Term, 2001 (filed March 12, 2003). The Court of Appeals subsequently denied his petition for a writ of certiorari. *Lucas v. State*, 376 Md. 51 (2003).

In 2016, Lucas filed a motion to correct an illegal sentence. Despite Lucas's request for a hearing on the motion, the circuit court denied relief without a hearing. Lucas appeals that decision solely on the ground that the circuit court erred in denying his motion without a hearing. Because a hearing was not required, we affirm.

Relying on Rule 2-311(f), Lucas maintains that, because he requested a hearing on his motion, the court was obligated to hold a hearing before ruling on his motion to correct an illegal sentence. Rule 2-311(f), however, pertains to motions filed in a civil proceeding. Lucas's motion to correct an illegal sentence was filed pursuant to Rule 4-345(a), a rule pertaining to criminal causes. Rule 4-345(f) requires a hearing before a court "may modify, reduce, correct, or vacate a sentence." It does not require a hearing where the court denies a motion to correct a sentence. *See Scott v. State*, 379 Md. 180, 190 (2004) (acknowledging that the "hearing requirement found in Rule 4-345 ordinarily applies only when the court intends to 'modify, reduce, correct, or vacate a sentence.'").

Lucas does not otherwise argue that the court erred in denying his motion. In other words, Lucas does not address the merits of his claim that his sentences are somehow

illegal. Accordingly, our review of the court’s decision is concluded. *Klaunberg v. State*, 355 Md. 528, 552 (1999) (“arguments not presented in a brief or not presented with particularity will not be addressed on appeal.”). But, in any event, Lucas’s sentences are not inherently illegal and, as such, are not subject to correction under a Rule 4-345(a) motion.

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