

Circuit Court for Baltimore City
Case No.: 18324408

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 108

September Term, 2021

EDGAR HARRISON, JR.

v.

STATE OF MARYLAND

Graeff,
Zic,
Raker, Irma S.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 5, 2021

*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 February 2021, Edgar Harrison, Jr., representing himself, filed a pleading he titled “Petition to Modify or Reduce Sentence Pursuant to Senate Bill 591 Under Md. Rule 4-345(e) Now Enacted as the (Maryland Second Look Act).” He asserted that, in 1984, he was sentenced to life imprisonment for first-degree murder and after 37 years’ incarceration “believes and feels that due to his remorse, acute and chronic health issues and his desire to reunite with his family and community, the time is ripe” for a modification of his sentence. He attached a copy of Senate Bill 591, which he claimed had become effective on October 1, 2020. The circuit court denied the motion because it was not filed within five years from the date the sentence was originally imposed, as required by Rule 4-345(e)(1). Mr. Harrison appeals that ruling. We shall affirm the judgment.

Senate Bill 591 was introduced in the Maryland General Assembly’s 2020 legislative session and, if enacted, would have allowed an individual serving a life sentence to seek a modification of that sentence. Senate Bill 591, however, did not pass out of committee and did not become law. Accordingly, the circuit court did not err in rejecting Mr. Harrison’s motion based on the ground that it was not filed in accordance with the time constraints set forth in Rule 4-345(e) (“in a circuit court, whether or not an appeal has been filed, the court has revisory power over the sentence except that it may not revise the sentence after the expiration of five years from the date the sentence originally was imposed[.]”).¹

¹ In the 2021 legislative session, the Maryland General Assembly passed the Juvenile Restoration Act, which became law on October 1, 2021. The newly enacted law authorizes an individual who was convicted of an offense when the individual was a minor
(continued)

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

and who has been imprisoned for at least 20 years for the offense to file a motion to reduce the duration of the sentence. *See* Md. Code, Criminal Procedure, § 8-110. Mr. Harrison did not indicate, and it is not clear from the limited record before us, whether the sentence he is serving is based on a conviction for an act committed when he was a minor. If Mr. Harrison meets the qualifications set forth in Crim. Proc. § 8-110, he certainly has the option of filing a motion pursuant thereto.

The correction notice(s) for this opinion(s) can be found here:

<https://mdcourts.gov/sites/default/files/import/appellate/correctionnotices/cosa/unreported/0108s21cn.pdf>