

Circuit Court for Montgomery County
Case Nos. 122557C & 123131C

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 605

September Term, 2025

DAQUAN LEE TYLER

v.

STATE OF MARYLAND

Nazarian,
Leahy,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 24, 2026

*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.

Daquan Lee Tyler, appellant, appeals from the denial, by the Circuit Court for Montgomery County, of a “Motion for Appropriate Relief.” For the reasons that follow, we shall dismiss the appeal.

“Following a trial . . . , a jury convicted [Mr.] Tyler[] of three counts of armed robbery, three counts of first-degree assault, three counts of use of a firearm in a felony or crime of violence, and one count of solicitation of witness intimidation.” *Tyler v. State*, No. 1305, Sept. Term 2013 (filed September 17, 2014), slip op. at 1. On April 22, 2025, Mr. Tyler filed the motion for appropriate relief, in which he alleged “newly discovered evidence for the purposes of granting a new trial,” and that the State had failed to disclose the evidence. Mr. Tyler requested that the court award him a new trial, vacate his convictions, and dismiss the charges “barring re-trial and subsequent prosecution.” The court treated the motion as a motion for new trial and denied the motion.

Mr. Tyler contends that, for numerous reasons, the court erred in denying the motion. But, Mr. Tyler does not cite any authority that classifies the denial of a “motion for appropriate relief” as a final judgment from which he may appeal. *See* Md. Code (1974, 2020 Repl. Vol., 2024 Supp.), § 12-301 of the Courts & Judicial Proceedings Article (generally, “a party may appeal from [only] a final judgment entered in a civil or criminal case by a circuit court”). Also, Rule 4-331(c) states that a motion for new trial “on the ground of newly discovered evidence which could not have been discovered by due diligence in time to move for a new trial pursuant to section (a) of [the] Rule” must be “filed within one year after the later of (A) the date the court imposed sentence or (B) the date the court received a mandate issued by the final appellate court to consider a direct

appeal from the judgment.” Finally, Mr. Tyler does not cite any authority that allows a defendant to present allegations of prosecutorial misconduct in a “motion for appropriate relief.” For these reasons, we dismiss the appeal.

**APPEAL DISMISSED. COSTS TO BE PAID
BY APPELLANT.**