

Circuit Court for Caroline County  
Case No. 00003878

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 668

September Term, 2024

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BERNARD GREGORY

v.

STATE OF MARYLAND

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Nazarian,  
Arthur,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: July 9, 2025

\*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.

Bernard Gregory, appellant, appeals from the denial, by the Circuit Court for Caroline County, of a “Motion for Specific Enforcement of *Alford* Plea [and] Immediate Release and Discharge from Custody” (hereinafter “motion for specific enforcement”).<sup>1</sup> For the reasons that follow, we shall affirm the judgment of the circuit court.

In January 1992, Mr. Gregory was charged with first degree murder and related offenses. In February 1993, Mr. Gregory appeared before the court and entered with the State a plea agreement under which Mr. Gregory pleaded guilty to first degree murder. In exchange, the State entered a nolle prosequi as to the remaining offenses and declined to seek a sentence of life imprisonment without the possibility of parole. During the plea colloquy, Mr. Gregory clarified that he was submitting an “*Alford* plea,” because “the jury would probably find [him] guilty.” The court subsequently convicted Mr. Gregory of the offense and imposed upon him a sentence of life imprisonment.

In May 2024, Mr. Gregory filed the motion for specific enforcement, in which he stated: “At no time, was it disclosed to Movant, . . . the actual terms offered to ALFORD, a.) length of time imposed in ALFORD’S case, b.) the reduction in degree upon ALFORD.” Mr. Gregory requested that the court “impose a sentence in line with the sentence in the ALFORD trial.” The court denied the motion.

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<sup>1</sup>Mr. Gregory also purports to appeal from the court’s denials of a “Motion for Extension of Time to [Respond to] State’s Motion in Opposition to Motion [to] Enforce Plea Agreement” and a “Motion for New Trial or in the Alterna[ti]ve Release [and] Discharge of the Defendant from Custody.” But, Mr. Gregory did not file a notice of appeal from either judgment. Hence, we shall not reach the judgments.

Mr. Gregory now contends that, for numerous reasons, the court erred in denying the motion. We disagree. The term “*Alford* plea” originates from the decision of the U.S. Supreme Court in *North Carolina v. Alford*, 400 U.S. 25 (1970). The appellee, Henry Alford, was initially charged with first degree murder. *Id.* at 26. Mr. Alford subsequently agreed to plead guilty to second degree murder, but “[b]efore the plea was finally accepted by the trial court,” Mr. Alford “took the stand and testified that he had not committed the murder but that he was pleading guilty because he faced the threat of the death penalty if he did not do so.” *Id.* at 27-28 (footnote omitted). The court accepted the plea and sentenced Mr. Alford “to 30 years’ imprisonment, the maximum penalty for second-degree murder.” *Id.* at 29 (footnote omitted). Following post-conviction proceedings in which Mr. Alford challenged the voluntariness of the plea, *id.*, the Supreme Court concluded that “[a]n individual accused of crime may voluntarily, knowingly, and understandingly consent to the imposition of a prison sentence even if he is unwilling or unable to admit his participation in the acts constituting the crime.” *Id.* at 37. Here, neither *Alford* nor any other authority cited by Mr. Gregory prohibited the court from convicting him of an offense greater than that of which Mr. Alford was convicted, or from imposing upon Mr. Gregory a term of imprisonment greater than that imposed upon Mr. Alford. Hence, the court did not err in denying the motion for specific enforcement.

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