

Circuit Court for Wicomico County
Case No.:C-22-CR-21-000163

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 1524

September Term, 2025

DREQUAN DEONTE SAVAGE

v.

STATE OF MARYLAND

Friedman,
Kehoe, S.,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 14, 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.

In 2022, following a jury trial in the Circuit Court for Wicomico, Drequan Deonte Savage was found guilty of second-degree murder, first-degree assault, and use of firearm in the commission of a crime of violence. The court sentenced him to 40 years' incarceration for second-degree murder and to a consecutive term of 20 years for the firearm offense (the first five years of which is without the possibility of parole). The conviction for first-degree assault merged for sentencing purposes with second-degree murder. This Court affirmed the judgments. *Savage v. State*, No. 1758, September Term, 2022 (filed unreported on April 26, 2024).

In 2025, Mr. Savage, representing himself, filed a motion “to vacate illegal sentence” in which he maintained that the 40-year sentence for second-degree murder was illegal because when the crime was committed the statutory maximum penalty for that offense was 30 years' incarceration. He also asserted that the court erred in imposing an “enhanced” sentence on the firearm conviction based on a “subsequent violation” status. The circuit court summarily denied the motion. Mr. Savage appeals that decision. For the reasons to be discussed, we shall affirm the judgment.

It is undisputed that the murder in this case occurred on April 7, 2021 and was committed with a firearm. Prior to October 1, 2017, the statutory maximum penalty for second-degree murder was 30 years' incarceration. Effective October 1, 2017, the statutory maximum for this offense is 40 years' incarceration. MD CODE, Criminal Law § 2-204(b). Hence, Mr. Savage's 40-year sentence for second-degree murder is legal.

The jury also found Mr. Savage guilty of using a firearm in the commission of a crime of violence, a violation of Crim. Law § 4-204(b). Both second-degree murder and first-degree assault are crimes of violence. *See* Public Safety, § 5-101(c)(3)&(11).

Crim. Law § 4-204 provides, in relevant part:

(b) A person may not use a firearm in the commission of a crime of violence, as defined in § 5-101 of the Public Safety Article, or any felony, whether the firearm is operable or inoperable at the time of the crime.

(c)(1)(i) A person who violates this section is guilty of a misdemeanor and, in addition to any other penalty imposed for the crime of violence or felony, shall be sentenced to imprisonment for not less than 5 years and not exceeding 20 years.

(ii) The court may not impose less than the minimum sentence of 5 years and, except as otherwise provided in § 4-305 of the Correctional Services Article, the person is not eligible for parole in less than 5 years.

(2) For each subsequent violation, the sentence shall be consecutive to and not concurrent with any other sentence imposed for the crime of violence or felony.

Mr. Savage appears to argue that the court could not sentence him for the firearm offense to the statutory maximum of 20 years' and run it consecutively to the murder sentence because it was not his "subsequent violation" of the statute. He is incorrect. The statute clearly authorizes a judge to impose a term of incarceration "for not less than 5 years and not exceeding 20 years." The statute does not limit the maximum term only to subsequent violators.

Although Crim. Law § 4-204(c)(2) *mandates* that the sentencing court run a sentence for this offense consecutive to "any other sentence imposed for the crime of violence or felony[]" when it is a subsequent violation, the statute does not *limit* a judge's

authority to run the sentence consecutive to any other sentence for a first violation. In other words, the statute does not restrict a court’s general discretion to run a sentence consecutive to or concurrent with any other sentence. *See Kaylor v. State*, 285 Md. 66, 70 (1979). Here, when imposing sentence, the court noted that “[t]he crime is horrific.” In short, it is clear to us that the court properly exercised its discretion when imposing the maximum penalty for the firearm offense and running it consecutively to the murder sentence. Mr. Savage points to nothing in the record to convince us otherwise. Hence, the firearm sentence is legal.

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