

Circuit Court for Baltimore County
Case No. 03-K-13-002866

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1650

September Term, 2025

LEON COLES, JR.

v.

STATE OF MARYLAND

Zic,
Tang,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 7, 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.

Leon Coles, Jr., appellant, appeals from the denial, by the Circuit Court for Baltimore County, of a motion to correct illegal sentence. For the reasons that follow, we shall affirm the judgment of the circuit court.

In May 2013, Mr. Coles was charged by indictment as follows:

- First count – robbery with a dangerous and deadly weapon;
- Second count – robbery;
- Third count – second degree assault; and
- Fourth count – theft.

Immediately prior to trial, the State entered a nolle prosequi as to the count of robbery with a dangerous and deadly weapon. Following deliberations, the jury was asked for its verdict as to “Count One, [r]obbery.” The foreperson stated: “Guilty.” Because Mr. Coles was subject to enhanced penalties, the court sentenced him to a term of imprisonment of 25 years without the possibility of parole.

In August 2025, Mr. Coles filed the motion to correct illegal sentence, in which he contended that his sentence is illegal because “there was no jury verdict on count two.” The court denied the motion.

Mr. Coles contends that, for numerous reasons, the court erred in denying the motion. But, we have recognized that the scope of a motion to correct illegal sentence is “narrow” and “limited to those situations in which the illegality inheres in the sentence itself; *i.e.*, there either has been no conviction warranting any sentence for the particular offense or the sentence is not a permitted one for the conviction upon which it was imposed and . . . is intrinsically and substantively unlawful.” *Carlini v. State*, 215 Md. App. 415, 426 (2013) (internal citation and emphasis omitted). Here, Mr. Coles does not dispute that

he was convicted of robbery, or that the sentence imposed by the court for that offense, in light of his previous convictions, is a permitted one. The error alleged by Mr. Coles does not inhere in the sentence itself, and hence, the court did not err in denying the motion to correct illegal sentence.

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