

Circuit Court for Baltimore County  
Case No. 3K02-4146

UNREPORTED  
IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND

No. 1906

September Term, 2017

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JEREMY ADEM ALI-SAID

v.

STATE OF MARYLAND

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Woodward, C.J.,  
Friedman,  
Moylan, Charles E., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: October 2, 2018

\*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.

Jeremy Adem Ali-Said, appellant, appeals the denial, by the Circuit Court for Baltimore County, of his motion to correct illegal sentence. For the reasons that follow, we affirm.

In 2003, Ali-Said pleaded guilty to attempted murder and was sentenced to life in prison, with all but thirty-five years suspended, followed by five years of supervised probation. At the sentencing hearing, the trial court stated on the record that, because attempted murder is a crime of violence, Ali-Said would be required to serve at least fifty percent of his sentence before becoming eligible for parole. *See* Md. Code (2001, 2008 Repl. Vol., 2016 Supp.), § 6-217 (a) of the Criminal Procedure Article.

In 2017, Ali-Said filed a motion to correct illegal sentence claiming that his sentence was illegal because the trial court incorrectly concluded that he was required to serve fifty percent of his sentence before becoming parole eligible. Instead, Ali-Said claimed that the court should have announced that he would be eligible for parole after he served fifteen years in prison. *See* Md. Code (1999, 2008 Repl. Vol, 2016 Supp.), § 7-201(d) of the Correctional Services Article (“CS”) (stating that an inmate sentenced to life in prison must serve at least fifteen years in prison minus diminution credits before becoming eligible for parole). That motion was denied without a hearing.

On appeal, Ali-Said continues to press his claim that the court erred in announcing an incorrect parole eligibility date during sentencing.<sup>1</sup> However, even assuming that Ali-Said is correct, it would not render his sentence inherently illegal. Life imprisonment is a legal

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<sup>1</sup> We note that, in his brief, Ali-Said also states that “he was advised . . . by counsel that he would be sentenced within the guidelines if he plead guilty[.]” Because that claim involves factual allegations that were not raised in or decided by the trial court, it is not properly before this Court. *See* Md. Rule 8-131(a).

sentence for attempted murder. And, although the court is required to state the minimum time that a defendant is required to serve before becoming eligible for parole when it imposes a sentence for a violent crime, that statement is “for information only and . . . not a part of the sentence.” *See* Md. Code (2001, 2008 Repl. Vol., 2016 Supp.), §§ 6-217 (a), (b) of the Criminal Procedure Article. Instead, it is ultimately the parole commission, not the trial court, that determines Ali-Said’s parole eligibility. *See* CS §§ 7-301-501. Finally, because any error by the trial court did not affect the legality of Ali-Said’s sentence or result in multiple punishments being imposed for the same offense, we decline Al-Said’s request to apply the rule of lenity to address whether the trial court correctly calculated his parole eligibility date.

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