

Circuit Court for Baltimore City
Case No. 18128813

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 2237

September Term, 2024

KING SAM IVOR

v.

STATE OF MARYLAND

Berger,
Tang,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 2, 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.

King Sam Ivor, appellant, appeals from an order issued by the Circuit Court for Baltimore City denying his “Motion to Correct Commitment Records.” In that motion he claimed that it was “ambiguous” whether the sentencing court in his case had imposed consecutive or concurrent sentences, and therefore that the ambiguity should be resolved in his favor and the commitment record corrected to reflect that he is serving concurrent sentences. On appeal, he contends that the court erred in denying that motion. For the reasons that follow, we shall affirm.

In 1982, a jury found appellant guilty of kidnapping, extortion, robbery with a deadly weapon, first-degree rape, first-degree sexual offense, unnatural and perverted sex practice, and two counts of false imprisonment. He was thereafter sentenced to life imprisonment for first-degree rape and life imprisonment for first-degree sex offense, as well as a term of thirty years of imprisonment for kidnapping, ten years of imprisonment for extortion, and ten years of imprisonment for robbery. The false imprisonment convictions merged for sentencing purposes. The court stated that the sentences imposed were to run consecutive to each other. Thus, the total sentence imposed was, in the sentencing judge’s summarizing remarks, “two consecutive life sentences plus fifty years consecutive to those life sentences, all to date from September 16, 1981,” the date appellant was arrested. This Court affirmed his convictions on direct appeal. *Ivor v. State*, No. 1107, Sept. Term 1982 (filed May 23, 1983) (*Ivor I*).

In 1992, appellant filed a motion to correct an illegal sentence, asserting that his sentences were ambiguous and should therefore be served concurrently. He acknowledged that the sentencing court had imposed consecutive sentences, but because it then stated that

the sentences were “all to date from September 16, 1981,” he claimed that the effect was to make them run concurrently. The court denied the motion finding that, based on the sentencing transcript, “it was clear without any ambiguity whatsoever that it was the intention of [the sentencing court] that all of the sentences should run consecutively.” Appellant did not appeal from that order.

Appellant then raised the same claim twice more in motions to correct illegal sentences, once in 2002 and again in 2012. Both motions were denied. Appellant appealed from those orders, and in both cases we affirmed. *Ivor v. State*, No. 2643, Sept. Term 2002 (filed March 16, 2004) (*Ivor II*); *Ivor v. State*, No. 1568, Sept. Term 2012 (filed Jan. 14, 2015) (*Ivor III*). In *Ivor II*, this Court specifically held that there was “no ambiguity” in appellant’s sentence and that the trial court said “nothing [] expressly or by implication [that] would indicate [his sentences] were to run concurrently.” In *Ivor III*, this Court held that appellant’s renewed claim that his sentence was ambiguous was barred by the law of the case doctrine, as it had been raised and decided in his previous appeal.

“Under the law of the case doctrine, ‘[n]either questions that were decided nor questions that could have been raised and decided on appeal can be relitigated.’” *Holloway v. State*, 232 Md. App. 272, 284 (2017) (emphasis omitted) (quoting *Kline v. Kline*, 93 Md. App. 696, 700 (1992)). Although raised in a motion to correct the commitment record in this case, rather than a motion to correct illegal sentence, appellant’s claim on appeal is the same as the one that he has raised in *Ivor II* and *Ivor III*: that the sentences imposed by the sentencing court were ambiguous as to whether they were to be consecutive or concurrent. And we rejected that claim in both appeals. Because none of the exceptions of the law of

the case doctrine apply, further litigation of this issue is therefore precluded. Consequently, the court did not err in denying appellant's motion to correct the commitment record.

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