

Circuit Court for Baltimore City  
Case No.: 101353032

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1665

September Term, 2023

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PETER ELI ADAMS

v.

STATE OF MARYLAND

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Graeff,  
Arthur,  
Eyler, James R.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: May 15, 2024

\*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

In July 1992, Peter Eli Adams, appellant, pleaded guilty to second-degree murder and a related firearm offense. The Circuit Court for Baltimore City sentenced him to an aggregate 20 years' incarceration, all but 8 suspended, followed by 5 years' probation. Then, in May 2002, a jury in the same court convicted Adams of first-degree murder and a related firearm offense. The court later sentenced him to life imprisonment and 20 years' concurrent incarceration. This sentence was imposed consecutive to any outstanding and unserved Maryland sentence.

In September 2023, Adams filed, in the circuit court, a “Motion for Appropriate Relief to Correct Amount of Credit for Time Served Against Sentence.” In his motion, Adams asked the court to amend his commitment record to award him credit for pre-trial incarceration towards his second sentence. The court denied the motion, explaining, first, that Adams had not included a copy of his commitment record with the motion, so the court could not determine what, if any, credit time he had been awarded. The court also explained that, in any event, Adams was not entitled to credit for pre-trial incarceration towards his second sentence because the sentence was imposed consecutive to any outstanding and unserved Maryland sentences. This appeal followed.

We review decisions regarding credit for time served *de novo*. *Gilmer v. State*, 389 Md. 656, 662–63 (2005). Generally, “[a] trial court . . . must give a defendant credit for a period of pre-trial incarceration on the charge for which he or she is held[.]” *Stevenson v. State*, 180 Md. App. 440, 457 (2008) (emphasis omitted). In a case of consecutive sentences, however, a defendant cannot apply a period of presentence incarceration to multiple sentences. *Blankenship v. State*, 135 Md. App. 615, 618 (2000). The same is true

when a defendant receives a new consecutive sentence while already serving a different sentence: the defendant typically cannot apply any time spent serving the extant sentence towards the new consecutive sentence. *See Lawson v. State*, 187 Md. App. 101, 107–08 (2009). So too here.

When the court imposed Adams’s second sentence, it made clear that it was “to run consecutive to the completion of any outstanding Maryland sentence not yet fully served.” At that time, Adams’s first sentence was still outstanding and unserved. Thus, the time Adams spent incarcerated while awaiting his 2002 trial applied towards his first sentence, not his second one. Accordingly, he is not entitled to credit time towards his second sentence, and the court did not err in denying his motion.

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