

Circuit Court for Montgomery County
Case Nos.: 79416C, 79517C, 79898C

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 532

September Term, 2024

LAMONT GORDON

v.

STATE OF MARYLAND

Nazarian,
Arthur,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: March 4, 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.

In 1997, Lamont Gordon, appellant, appeared with counsel in the Circuit Court for Montgomery County and pursuant to a binding plea agreement pleaded guilty to certain offenses stemming from three different cases. He entered guilty pleas to robbery with a dangerous and deadly weapon (case no. 79416C); robbery with a dangerous a deadly weapon, second-degree assault, and concealing a deadly weapon (case no. 79417C); and robbery with a dangerous and deadly weapon (case no. 79898C). The court sentenced Gordon to a total term of forty years’ imprisonment, to run consecutively to a sentence previously imposed in another case.

Gordon has repeatedly challenged his convictions and sentences to no avail, primarily as a self-represented litigant. His latest challenge was by way of a petition for writ of habeas corpus. He maintained that he is “illegally imprisoned, detained, and restrained of his liberty[.]” and, as grounds, asserted that his armed robbery convictions are illegal because the weapon he carried in the robberies was not “a deadly weapon.” The circuit court denied relief.

Gordon makes the same argument on appeal. He claims that the “weapon” he used in the robberies was a BB gun and, therefore, he could not have been convicted of robbery with a dangerous and deadly weapon.¹ In other words, he is challenging the sufficiency of the evidence to support his convictions for armed robbery. The State moves to dismiss this appeal on the ground that it is not allowable by law. We shall grant the State’s motion.

¹ Gordon has raised this same issue in various prior challenges, including in a motion to correct an illegal sentence. This Court upheld the circuit court’s denial of that motion. *Gordon v. State*, No. 422, September Term, 2020 (filed unreported August 19, 2021).

“Although the right to seek a writ of habeas corpus is constitutionally protected, the right to an *appeal* from the disposition of the habeas corpus petition is not.” *Simms v. Shearin*, 221 Md. App. 460, 469 (2015). “An appeal may be taken from a final order in a habeas corpus case only where specifically authorized by statute.” *Id.* (citation omitted). Gordon points to no statute that authorizes this appeal. (*See id.* where this Court identified for statutes which authorize an appeal from the denial of a habeas petition, none of which are applicable here.) The claims Gordon raised in his habeas petition attacked the legality of his conviction, and the court’s denial of relief is not appealable. *See Green v. Hutchinson*, 158 Md. App. 168, 174 (2004) (There was no right to appeal where the arguments in support of habeas relief “went directly to the legality of [the petitioner’s] convictions.”)

**APPELLEE’S MOTION TO DISMISS THE
APPEAL GRANTED.**

APPEAL DISMISSED.

COSTS TO BE PAID BY APPELLANT.