

Circuit Court for Howard County  
Case No. C-13-CR-19-000605

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1238

September Term, 2022

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RONALD CHEEK

v.

STATE OF MARYLAND

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Leahy,  
Albright,  
Woodward, Patrick L.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: June 5, 2023

\*At the November 8, 2022, general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

\*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.

In September 2019, Ronald Cheek, appellant, was indicted in the Circuit Court for Howard County on four counts of harboring another person for the purpose of prostitution, in violation of former Md. Code Ann., Crim. Law § 11-303(a)(1)(ii) (2012 Repl. Vol., 2108 Supp.). A jury convicted him of all counts and the court imposed consecutive sentences of 10 years' imprisonment on each count, resulting in an aggregate sentence of 40 years' imprisonment. This Court affirmed his convictions on direct appeal. *Cheek v. State*, No. 2521, Sept. Term 2019 (filed Jan 11, 2021). In 2022, appellant filed a motion to correct illegal sentence, claiming that his sentences were illegal because the maximum possible penalty for violating § 11-303(a) was one year imprisonment. The court denied his motion without a hearing. This appeal followed.

On appeal, appellant contends that the court erred in denying his motion to correct illegal sentence. We disagree. To be sure, the current version of § 11-303(a), which prohibits engaging in prostitution or assignation by any means or occupying a building, structure, or conveyance for prostitution or assignation, provides for a maximum possible penalty of one year imprisonment. Appellant, however, was not charged with or convicted of violating the current version of the statute. Rather, he was indicted for violating a former version of § 11-303(a) which prohibited, among other things, knowingly placing, causing to be placed, or harboring another in any place for prostitution. And that version of the statute provided for a maximum possible punishment of 10 years' imprisonment.<sup>1</sup> Because appellant was charged and convicted of misdemeanor human trafficking under the

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<sup>1</sup> In October 2019, former §11-303(a) was renumbered as § 3-1102 of the Criminal Law Article.

former version of the statute, and not engaging in prostitution under the current version of the statute, his 10-year sentence for each offense was within statutory limits, and therefore legal.

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