

Circuit Court for Baltimore City
Case Nos. 104170015 and 104281063

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1770

September Term, 2023

ANTONIO SHROPSHIRE

v.

STATE OF MARYLAND

Wells, C.J.,
Graeff,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: January 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.

Antonio Shropshire, appellant, appeals from the denial, by the Circuit Court for Baltimore City, of a petition for writ of error coram nobis. For the reasons that follow, we shall affirm the judgment of the circuit court.

On May 3, 2005, Mr. Shropshire appeared before the court and submitted pleas of guilty in case number 104281063 to unauthorized use of a motor vehicle, and in case number 104170015 to possession of cocaine with intent to distribute. Mr. Shropshire was represented by different counsel in each of the cases. During the plea colloquy, Mr. Shropshire affirmed that he understood that he was “giving up” his rights, among others, to “trial by jury or . . . before” the court, “call [and] confront witnesses,” “take the stand [in his] own defense,” “decline to testify,” present “legal . . . and . . . factual defenses,” and appeal except on limited grounds. Mr. Shropshire also affirmed that no one had “promised . . . or induced [him] in any way to plead . . . other than the plea agreement,” he was “pleading . . . freely and voluntarily,” and he “underst[ood] what [he was] pleading to.” The prosecutor subsequently submitted a statement of facts as to each offense, to which defense counsel confirmed that they had “[n]o additions[,] corrections,” “[e]xceptions, modifications[,] or amendments.” The court sentenced Mr. Shropshire to a term of imprisonment of four years, all suspended, for the unauthorized use of a motor vehicle. For the possession of cocaine with intent to distribute, the court sentenced Mr. Shropshire to a term of imprisonment of five years, all suspended.

On October 4, 2022, Mr. Shropshire filed the petition for writ of error coram nobis, in which he contended that his pleas were “not voluntarily entered,” and hence, “were obtained in violation of [his] constitutional rights.” Mr. Shropshire further contended that

“[a]s a result of [the] constitutionally deficient convictions, [he] faced an extremely harsher [sic] sentence in [a] federal criminal case.” The court held a hearing on the petition, at which Mr. Shropshire contended that his “federal sentencing transcripts” show that the convictions in the instant matters “were used against him.” Mr. Shropshire further contended that his pleas were “not voluntarily entered,” because the record does not “affirmatively demonstrate [that he] had an intelligent understanding of his rights and the nature of the offense[s],” and “the record is silent as to [the] elements” of the offenses. The prosecutor argued, among other arguments, that “the doctrine of laches . . . would prejudice the State if the State had to re prosecute this case,” because the “State would have to try to hunt down the witnesses . . . , the officers, [and] the unauthorized motor vehicle victim, and attempt to put on a new case, if it would even be possible.”

Following the hearing, the court denied the petition on two grounds. First, “[w]hile there is no indication in the transcript” of the plea hearing “that the elements for unauthorized use and possession with intent to distribute” were recited, “the record as a whole indicates that the plea[s] were entered . . . knowingly and voluntarily.” Second, “the doctrine of laches” precludes relief, because Mr. Shropshire “knew or should have known of the alleged error at the time of his plea[s] and should have taken action to put the State on notice,” and his “unreasonable delay in raising his allegations of error . . . unduly prejudiced the State’s ability to re prosecute his criminal case.”

Mr. Shropshire contends that for numerous reasons, the court erred in denying the petition. We disagree for four reasons. First, the transcript of the plea hearing clearly indicates that Mr. Shropshire was advised of, and stated that he understood that he was

waiving, the aforementioned constitutional rights. Second, we have previously agreed that “possession with intent to distribute is so simple in meaning that it can be readily understood by a lay person,” *Coleman v. State*, 219 Md. App. 339, 357 (2014) (quotation omitted), and the offense of unauthorized use of a motor vehicle is equally simple in meaning. Third, the record does not contain any “federal sentencing transcript” or other evidence supporting Mr. Shropshire’s contention that the convictions in the instant matters were used to enhance a subsequent sentence. Finally, the Supreme Court of Maryland has stated that in determining whether a petition for writ of error coram nobis is barred by the doctrine of laches, “it is appropriate to consider a petitioner’s motivation for not challenging an alleged error until doing so suits the petitioner’s interests,” *Jones v. State*, 445 Md. 324, 347 (2015) (citation omitted), and “[i]t would be absurd to essentially reward [a petitioner] for committing a new crime by allowing him to now challenge his [previous] conviction, and seek to invalidate his bargained-for plea agreement, on the ground that, . . . years later, he contends that he did not understand the elements of the offense to which he pled guilty.” *Id.* Hence, the court did not err in denying the petition.

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