

Circuit Court for Prince George's County
Case No. CT-88-1623X

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 585

September Term, 2017

JAIME TRAVERSO

v.

STATE OF MARYLAND

Woodward, C.J.,
Kehoe,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 14, 2018

*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.

Jaime Traverso appeals from the denial, by the Circuit Court for Prince George's County, of his motion to correct an illegal sentence. We affirm. Traverso's sentence is legal and the claims that he is raising are not cognizable in a Rule 4-345(a) motion or have been previously decided by this Court.

Following a bench trial in 1989, Traverso was convicted of the first-degree murder of his wife and sentenced to life in prison. This Court affirmed the judgment. *Traverso v. State*, 83 Md. App. 389, *cert. denied*, 320 Md. 801 (1990). Traverso's numerous attempts for relief in the years following the affirmance of his conviction have been unsuccessful.

In 2017, Traverso, a self-represented litigant, filed what appears to have been his fifth motion to correct an illegal sentence. In essence, he argued that: (1) the State of Maryland failed to give "full faith and credit" to a decision of the Court of Appeals of Virginia and, therefore, the trial court did not have jurisdiction over his case; (2) Prince George's County was the incorrect venue; (3) the trial judge should have recused himself; (4) the trial court erred in accepting his jury trial waiver because the on-the-record examination of him about the rights he was waiving was not adequate to determine that his waiver was knowing and voluntary; and (5) the court's guilty verdict was invalid because the trial judge failed to "state on the record" that he found him guilty of first-degree murder "beyond a reasonable doubt."

Following a hearing, the circuit court denied the motion. The court determined that Traverso's sentence was legal and that his attack was on the underlying conviction or the procedures leading thereto and, therefore, his claims were not cognizable in a Rule 4-345(a) motion to correct an illegal sentence. *See Colvin v. State*, 450 Md. 718, 724-725 (2016)

(discussing the very limited scope of a Rule 4-345(a) motion). The court also concluded that some of the allegations of error raised by Traverso had been previously litigated, and on appeal rejected by this Court. For instance, the claim that the trial judge should have recused himself and the claim that Maryland did not have jurisdiction were addressed by this Court in Traverso's direct appeal. *See Traverso, supra*, 83 Md. App. 389. Even if those allegations were cognizable in a Rule 4-345(a) motion, as we stated in *State v. Garnett*, "the law of the case doctrine would prevent relitigation of an 'illegal sentence' argument that has been presented to and rejected by an appellate court." 172 Md. App. 558, 562-563, *cert. denied*, 399 Md. 594 (2007). We find no error in the circuit court's decision to deny relief.

**JUDGMENT OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY
AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**



MANDATE

Court of Special Appeals

Maryland Relay Service
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No. 00585, September Term, 2017

Jaime Traverso
vs.
State of Maryland

JUDGMENT: June 14, 2018: Judgment of the Circuit Court for Prince George's County affirmed. Costs to be paid by appellant.
Per Curiam filed:

July 17, 2018: Mandate issued.

From the Circuit Court: for **PRINCE GEORGE'S COUNTY**
000CT881623X

STATEMENT OF COSTS:

Appellant(s):

Steno Costs of Appellant-	97.75
Brief of Appellant-9 COPIES	69.12
Reply of Appellant-	36.00

Appellee(s):

Brief of Appellee-	187.20
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STATE OF MARYLAND, Sct:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Special Appeals. In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Special Appeals, this **seventeenth** day of **July** **2018**


Clerk of the Court of Special Appeals

COSTS SHOWN ON THIS MANDATE ARE TO BE SETTLED BETWEEN COUNSEL AND NOT THROUGH THIS OFFICE.

JAIME TRAVERSO

v.

STATE OF MARYLAND

* **IN THE**
* **COURT OF APPEALS**
* **OF MARYLAND**
* **Petition Docket No. 216**
* **September Term, 2018**
* **(No. 585, Sept. Term, 2017**
* **Court of Special Appeals)**

ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals and the supplement filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition and the supplement be, and they are hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Mary Ellen Barbera

Chief Judge

DATE: August 31, 2018

**Additional material
from this filing is
available in the
Clerk's Office.**