

Circuit Court for Baltimore County
Case No. 03K16002347

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2608

September Term, 2016

WILLIE ALFRED HARRIS, III

v.

STATE OF MARYLAND

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

JJ.

PER CURIAM

Filed: October 3, 2017

*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.

Following a jury trial in the Circuit Court for Baltimore County, Willie Alfred Harris III, appellant, was convicted of possession of a regulated firearm by a prohibited person. On appeal, Harris contends that there was insufficient evidence to sustain his conviction because the State failed to prove that he possessed the firearm that was recovered by the police. For the reasons that follow, we affirm.

Because Harris’s defense counsel did not articulate any specific reasons to support his motion for judgment of acquittal, this claim is not preserved for appellate review. *See Peters v. State*, 224 Md. App. 306, 354 (2015) (“[R]eview of a claim of insufficiency is available only for the reasons given by [the defendant] in his motion for judgment of acquittal.” (citation omitted)). Moreover, even if preserved, it lacks merit.

“The standard for our review of the sufficiency of the evidence is ‘whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.’” *Neal v. State*, 191 Md. App. 297, 314 (2010) (citation omitted). “The test is ‘not whether the evidence *should have or probably would have* persuaded the majority of the fact finders but only whether it *possibly could have* persuaded *any* rational fact finder.’” *Painter v. State*, 157 Md. App. 1, 11 (2004) (citations omitted). In applying the test, “[w]e defer to the fact finder’s ‘opportunity to assess the credibility of witnesses, weigh the evidence, and resolve conflicts in the evidence.’” *Neal, supra*, 191 Md. App. at 314 (citation omitted).

Viewed in a light most favorable to the State, the evidence at trial demonstrated that Harris ran from the police when they attempted to question him about an alleged assault; that, as he fled, Harris reached into his waistband, removed a silver metal object, and threw

it towards the roof of a nearby garage; that one of the officers heard two bangs, which led him to believe that the object had landed on the roof and then fallen to the ground; that Harris was seized approximately five seconds after he threw the object; and that the officers returned to the area where they had seen Harris throw the object and recovered a silver handgun. Based on this evidence, the jury reasonably could find that Harris possessed the handgun. Consequently, the State presented sufficient evidence to support Harris's conviction for possession of a regulated firearm by a prohibited person.

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