

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2764

September Term, 2015

JUSTIN DUNCAN HUNT

v.

STATE OF MARYLAND

Krauser, C.J.,
Nazarian,
Moylan, Charles, E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 21, 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.

Convicted of robbery and second degree assault following a jury trial, in the Circuit Court for Prince George’s County, Justin Hunt, appellant contends that the evidence was not sufficient to support his convictions. For the reasons that follow, we affirm.

“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).

The identification testimony of a single eyewitness, if believed, is sufficient to support a conviction. *See Branch v. State*, 305 Md. 177, 183 (1986). Hunt acknowledges that both the victim and a disinterested eyewitness identified him as the perpetrator in a double-blind photo array and at trial. He nevertheless asserts that the State’s identification evidence was “too weak” because: (1) the victim had been drinking; (2) the eyewitness was sixty feet away when he observed the incident; and (3) the person shown in a surveillance video, who the victim later identified as the perpetrator, did not have a tattoo on his neck, which appellant claimed to have had at the time of the robbery.

Viewing the evidence “in the light most favorable to the prosecution,” as we are required to do, we conclude that the State presented sufficient evidence to support Hunt’s

convictions. Hunt’s claims are essentially an invitation for this Court to reweigh the evidence, which we will not do. *See Adams v. State*, 86 Md. App. 377, 380 (1991) (“The weight assigned to the evidence presented is a matter for the jury to determine”). Here, the jury had ample the opportunity to evaluate the credibility of the State’s witnesses and to consider appellant’s claims regarding the surveillance video. It then chose to believe the identification testimony of the victim and the disinterested eyewitness. Because the jury could have based its findings of guilt on the testimony of either of the State’s identification witnesses, *see Branch, supra*, we reject Hunt’s challenge to the sufficiency of the evidence.

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