

Circuit Court for Anne Arundel County
Case No. C-02-CR-23-000362

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 138

September Term, 2024

MARLON PATRICK GREEN

v.

STATE OF MARYLAND

Reed,
Zic,
Kenny, James A. III
(Senior Judge, Specially Assigned),

JJ.

Opinion by Reed, J.

Filed: July 28, 2025

* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

Marlon Patrick Green, the Appellant, was charged in the Circuit Court for Anne Arundel County related to a robbery of a pharmacy that occurred on February 9, 2023. The State’s case dealt with whether the clothing the Appellant wore during his arrest matched the clothing seen on the individual who robbed the pharmacy. To further this argument, the State used a mannequin in closing arguments to display the clothing the Appellant was wearing. The Appellant objected to the use of the mannequin, arguing the mannequin was not substantially similar to the Appellant. The objection was overruled, and the State was permitted to use the mannequin. The jury convicted the Appellant on all counts, and the Appellant was later sentenced to twenty-five years of incarceration, and five years of probation. The Appellant then filed this timely appeal.

In bringing his appeal, the Appellant presents one question for appellate review: Whether the trial court erred by allowing the in-court use of a mannequin as demonstrative evidence without requiring the State to establish substantial similarity between the Appellant and the mannequin?

For the following reasons, we affirm the judgment of the Circuit Court for Anne Arundel County.

FACTUAL & PROCEDURAL BACKGROUND

Around 7:00 p.m. on February 9, 2023, an individual robbed a pharmacy in West Annapolis. The individual held the employees at gunpoint and made them fill a trash bag with drugs worth approximately \$2,700. Security cameras in the pharmacy captured the individual’s clothing. One of the employees placed a tracker in a prescription bottle that the suspect took from the store. Within five minutes, Anne Arundel County Police officers

respond to the pharmacy.

Officers learned about the tracker and found it was located near the Eastport Shopping Center. There, officers found a silver Hyundai vehicle abandoned in the parking lot. In the vehicle, officers found a loaded handgun sitting on the floorboard on the passenger's side. Officers also found a black fleece glove. Using the GPS locator, officers recovered the stolen drugs that were hidden behind a trailer near the parking lot.

One of the officers received a report that someone matching the description of the suspect was walking back towards the shopping center. The officer approached the Appellant and asked him to get on the ground, but after a second the Appellant took off running. During the foot chase, a black glove fell out of the Appellant's pocket. Officers then apprehended the Appellant and took him into custody. When officers patted the Appellant down, they found a black face mask in his pocket.

When the Appellant was taken into custody, his sweatshirt had an Under Armor logo on the chest. The Appellant was placed alone in a holding cell and when he was later removed from the cell, the logo had been ripped off of the shirt, leaving a large hole. An inventory search of the Appellant was conducted, which noted that the clothing he had on at the time of arrest included a facemask, a belt, gray New Balance shoes, a pair of gray sweatpants, a gray zip-up jacket, and a glove matching the glove recovered in the Hyundai.

A grand jury indicted the Appellant on twenty-one counts in March 2023.¹ The case

¹ The grand jury indicted the Appellant on two counts of armed robbery, two counts of robbery, two counts of first-degree assault, two counts of second-degree assault, two counts of reckless endangerment, two counts of use of a firearm in the commission of a

initially went to a jury trial in August of 2023, which resulted in a mistrial after the jury could not reach a unanimous decision.

The case was retried over two days in December of 2023 before the Honorable Robert J. Thompson.² The pharmacy employees and various officers testified to the facts laid out above. In closing arguments, the State planned on using a mannequin to display the clothes it had entered into evidence. The Appellant objected to the mannequin, and the following exchange occurred:

[DEFENSE COUNSEL]: I am going to object to the mannequin. It doesn't fairly, accurately depict my client. It is about seven feet tall and it is just designed to scare the jury.

THE COURT: All right.

[THE STATE]: It is certainly not designed to scare the jury, Your Honor.

[DEFENSE COUNSEL]: It scared me.

[THE STATE]: Multiple pieces of evidence have come in. This case, of course, hinges on clothing. That is what this case is really about. And the mannequin provides the State a way to provide the jury with the ability to see all of those pieces of evidence put together in a cohesive package and then compare those to the photographs of the robbery and Mr. Green during his booking process, in which we can see he had on all the same clothes.

THE COURT: Has all of the apparel -- Mr. Adrian, as an officer of the Court, all of the apparel that is on the mannequin has been previously admitted in

crime, two counts of theft, possession of a firearm with a felony conviction, illegal possession of a regulated firearm, carrying a loaded handgun on one's person, carrying a handgun on one's person, transporting a loaded handgun in a vehicle, transporting a handgun in a vehicle, and illegal possession of ammunition.

² For the retrial, the State dropped the charges for illegal possession of a regulated firearm, for having a loaded handgun in a vehicle, for having a handgun on one's person, for having a handgun in a vehicle, one of the theft charges, and for illegal possession of ammunition.

evidence.

[THE STATE]: That is correct, Your Honor.

THE COURT: All right. As all of the apparel that is on the mannequin has been previously admitted, I don't think there is any harm to the Defendant. And so the objection is overruled.

The charging documents and bail review sheet note that the Appellant's height is 5'7". There was no evidence admitted at trial of the size of the Appellant. However, he of course was present in the courtroom throughout his trial. The trial court overruled the Appellant's objection and allowed the State to use the mannequin in closing arguments. In closing arguments, the State compared the security camera video to the clothes the Appellant was wearing when he was arrested. For example, the prosecutor said that the mannequin had the clothes the Appellant "was wearing when he was found not fifteen feet from the stolen prescription drugs." The prosecutor continued to say that the Appellant had the "[s]ame shoes. The same pants. The same belt. The glove that falls out of his pocket matches the glove found next to the weapon. The sweater. The face mask."

The jury convicted the Appellant on all counts. On February 22, 2024, the Appellant was sentenced to 25 years of incarceration, and five years of probation. The Appellant then filed this timely appeal.

DISCUSSION

A. Parties' Contentions

The Appellant argues that the trial court erred because it did not require the State to establish a substantial similarity between the mannequin used in closing and the Appellant's person. While the trial court's ruling reflected the similarity of the clothes, it

made no mention of the size of the Appellant, which the Appellant argues violates case law on the use of demonstratives. Additionally, the Appellant also argues that the use of the larger mannequin was unduly prejudicial because of the difference in size.

The State argues that the trial court properly determined that the mannequin could be used in closing arguments. The State argues that it laid a sufficient foundation to use the demonstrative by entering the clothing into evidence. The State argues that the mannequin was just a vessel to display the clothing that was in evidence and that the clothing itself was substantially similar. The State asserts that the Appellant’s argument on prejudice should be rejected because any prejudice against the Appellant from the demonstrative evidence is not the kind of *unfair* prejudice that the rules of evidence seek to exclude.

B. Standard of Review

Whether evidence is to be admitted or excluded “is committed to the considerable and sound discretion of the trial court,” so the abuse of discretion standard of review will apply. *Ruffin Hotel Corp. of Maryland v. Gasper*, 418 Md. 594, 620–21 (2011) (quoting *Merzbacher v. State*, 346 Md. 391, 404–05 (1997)). Additionally, we review the trial court’s determination of the admissibility of demonstrative evidence for an abuse of discretion. *Andrews v. State*, 372 Md. 1, 20 (2002) (quoting *Ware v. State*, 348 Md. 19, 65 (1997)). A trial court abuses its discretion when the decision it makes is “well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable.” *Freeman v. State*, 487 Md. 420, 429 (2024) (quoting *Devincentz v. State*, 460 Md. 518, 550 (2018)). This may occur “when the ruling is clearly untenable, unfairly depriving a litigant of a substantial right and denying a just result, when

the ruling is violative of fact and logic, or when it constitutes an untenable judicial act that defies reason and works an injustice.” *Devincentz*, 460 Md. at 550 (quoting *North v. North*, 102 Md. App. 1, 13–14 (1994)). “[W]hen an otherwise discretionary decision is premised upon legal error, that decision is necessarily an abuse of discretion because the court’s discretion is always tempered by the requirement that the court correctly apply the law applicable to the case.” *Zadeh v. State*, 258 Md. App. 547, 587 (2023) (quoting *Bass v. State*, 206 Md. App. 1, 11 (2012)) (internal quotations and citation omitted).

C. Analysis

Demonstrative evidence is physical evidence that “helps the jurors understand the testimony, but is otherwise unrelated to the case.” *Ware*, 348 Md. at 65 (quoting Joseph F. Murphy, Jr., *Maryland Evidence Handbook* § 1101, at 576 (2d ed. 1993)); *see also* Joseph F. Murphy, Jr. & Erin C. Murphy, *Maryland Evidence Handbook*, § 1101 (5th ed. 2024) (“‘Demonstrative’ evidence helps the jurors understand the testimony, but is otherwise unrelated to the case.”). “Demonstrative evidence is generally offered for clarification or illustration of the witness’s testimony and it need not be original or authentic.” *Ware*, 348 Md. at 65. “[T]he theory justifying admission of these exhibits requires only that the item be sufficiently explanatory or illustrative of relevant testimony to be of potential help to the trier of fact.” *Id.* (quoting 2 McCormick on Evidence § 212 at 9 (John W. Strong 4th ed. 1992)). *see also* 2 McCormick on Evidence § 214 (9th ed. 2025) (“[I]n theory at least, illustrative aids do not have independent probative value for determining the substantive issues in the case and, thus, are not admissible evidence. They are relevant, again in theory, only because of the assistance they give to the trier in understanding other real, testimonial

and documentary evidence.”).

To use demonstrative evidence, a proper foundation must be laid. Foundation is needed to show that “the evidence fairly and accurately depicts what it purports to depict . . . and that it will be helpful to the witness in explaining his or her testimony.” *Ware*, 348 Md. at 65 (quoting Lynn McLain, Maryland Evidence § 403.3, at 310 (1987)) (emphasis removed); *see also* Lynn McLain, Maryland Evidence § 403.3 (3d ed. August 2024 update) (stating same). “The court must weigh the demonstrative evidence's probative value against the possibility of unfair prejudice or confusion.” *Andrews*, 372 Md. at 21 (quoting *Ware*, 348 Md. at 65). “Although demonstrative evidence need not be original in order to be admissible, there must be ‘ample evidence’ that the item offered as demonstrative evidence is *substantially similar* to the item that actually played a part in the events at issue.” *Ware*, 348 Md. at 65 (quoting *Grandison v. State*, 305 Md. 685, 732 (1986)) (emphasis added); *see also Andrews*, 372 Md. at 21 (stating that the party seeking to use demonstrative evidence must “make a preliminary showing that what the demonstration is expected to establish is ‘substantially similar’ to the facts and circumstances at issue”).

Since demonstrative evidence sometimes may not be entered into evidence, the purpose of the requirement that demonstrative evidence be “substantially similar” is to “give[] effect to the initial relevance determination required of all evidence by Md. Rule 5–402.” *Andrews*, 372 Md. at 22. “Without the substantially similar requirement serving as a gatekeeper to the admission of demonstrative evidence, the net effect would be the admission of all demonstrative evidence, whether relevant or irrelevant.” *Id.*

Turning to this case, the demonstrative is a mannequin displayed with the clothes

the Appellant was allegedly wearing on the night of the robbery. The demonstrative has two parts: the clothes and the mannequin. Regarding the clothes, all of the items of clothing were entered into evidence and displayed as depicted in the security videos. As the trial court said, “As all of the apparel that is on the mannequin has been previously admitted, I don't think there is any harm to the [Appellant].” The clothing itself was displayed in a manner substantially similar to the clothing that played a part in the events at issue.³

The mannequin on which the clothing was displayed is what the Appellant specifically takes issue with. As the identity of the perpetrator of the armed robbery was in dispute, the properties of the mannequin were relevant insofar as they could be compared to the Appellant himself. Before closing arguments, the Appellant pointed out that the mannequin differed in size from the Appellant,⁴ describing the mannequin as “about seven

³ Before closing, the Appellant made an additional objection as to how the mannequin was dressed as it related to the belt's placement on the mannequin. The belt was “prominently displayed” over the sweatshirt, which the Appellant argued was not in the video. After a discussion of the photographic and video evidence in the case, the State removed the belt to show it later.

⁴ The State argues that the Appellant failed to produce a sufficient record to allow this Court to decide the case. The State says that the record does not establish “the mannequin's size, weight, color, material, build, or facial expression (or indeed if the mannequin even had a face).” In support of this argument, the State points to the “presumption of regularity which normally attaches to trial court proceedings.” *Harris v. State*, 406 Md. 115, 122 (2008). However, this presumption is rebuttable. *Id.* (citing *Beales v. State*, 329 Md. 263, 273 (1993)). In *Harris*, the presumption was overcome when the trial transcript showed the jury was not sworn in during the trial, which was corroborated by a docket entry. *Id.* at 122–23.

Here, the presumption of regularity is overcome by the Appellant noting an objection to the mannequin. While the record does not provide an overly-detailed description of the mannequin, the Appellant noted that the mannequin was “about seven

feet tall.”⁵ This differs in height from the Appellant, which the record describes as being five feet and seven inches tall. The Appellant argues here that the trial court failed to apply the proper test for a demonstrative to the mannequin itself and require the State to show whether the demonstrative was substantially similar to the Appellant’s person.

The Supreme Court of Maryland has previously reversed a trial court for failing to apply the substantial similarity test. In *Andrews v. State*, 372 Md. 1 (2002), Andrews was arrested and tried for the death of his infant daughter, which allegedly occurred due to “shaken baby syndrome.” *Id.* at 3–4. At the trial, the State sought to introduce a demonstrative that approximated “the amount of force an adult would be required to use to inflict the injuries sustained by [the minor child].” *Id.* at 25 (internal quotations omitted). The doll was roughly a third of the weight of the minor child, and the rigidity of the neck

feet tall,” which differs from the height of the Appellant. At no point in the transcript is this asserted height disputed. As a result, the Appellant sufficiently argued an issue that allows this court to determine whether an error was committed. Given the lack of evidence towards any other potential features the mannequin possessed, we will presume that the mannequin was regular or not substantially different from the Appellant on those other features.

⁵ In the record, there is no precise measurement of the mannequin’s height or any other physical characteristics. Neither of the parties nor the trial court measured the height of the mannequin or disagreed with the Appellant’s counsel’s description of the mannequin being “about seven feet tall.” For the purposes of this appeal, we will assume the mannequin was that height.

However, we also note here that despite the alleged differences in height between the mannequin and the Appellant, the clothing the Appellant was wearing when he was taken into custody was able to fit onto the mannequin when it was presented to the jury. Given the lack of facts about the properties of the clothing we cannot come to any conclusions about this detail, but note that at no time did any party make an issue out of the clothing not fitting onto a mannequin that was allegedly approximately a foot and a half taller than the owner of the clothing.

was different from an infant. *Id.* at 16–17. The Supreme Court of Maryland held “that the differences between the doll and the victim were not insignificant, but, rather, were substantially material to the determination of the amount of force necessary to constitute Shaken Baby Syndrome.” *Id.* at 25. “[T]he trial court allowed the State to proceed with the demonstration with a presumption and acknowledgment of dissimilarity, thus relieving the burden on the State to establish the demonstration’s substantial similarity to the facts at issue.” *Id.* at 25. The Court reversed the trial court because the court did not require “the State to establish the substantial similarity between the in-court demonstration and the event at issue.” *Id.* at 27.

This case differs from *Andrews*. The purpose of the demonstrative doll in *Andrews* was to prove a specific amount of force needed to inflict injuries. *Id.* at 25. Because of this purpose, the differences in size and rigidity were “substantially material to the determination of the amount of force” and the court erred by not requiring the State to prove substantial similarity. *Id.* at 25. Here, the purpose of the mannequin was to display the clothing entered into evidence as a “cohesive package” to help the jury compare the clothing found in the Appellant’s administrative search to the security camera footage of the individual robbing the pharmacy. The size of the mannequin is not “substantially material” to the manner in which clothing is displayed. But because the clothing was displayed on a mannequin in a manner replicating the perpetrator, and this was a case where the identity of the perpetrator was in dispute, the characteristics and size of the mannequin were relevant as an aid to the jury to try to determine the identity of the perpetrator. Admittedly, the size of the mannequin was not as centrally relevant to the case as the force

needed to inflict injuries was in *Andrews*, since the height of the perpetrator was not a characteristic the State specifically argued as matching the Appellant. Since the mannequin was still shown to the jury as the vessel for the clothing and the Appellant pointed out that there was a physical difference between the mannequin's size and the Appellant's size, it likely created an issue of substantial similarity.

Another important distinction between this case and *Andrews* is when the demonstrative was introduced and the opportunities the parties had to respond. In *Andrews*, the doll was offered into evidence as an in-court demonstration on one of the prosecution's witnesses. 372 Md. at 13–14. When offered, the defense objected, and the trial court said that the defense's issue with the demonstration would go to its weight, but not its admissibility, and could be handed through cross-examination. *Id.* at 14, 16. The defense was then able to demonstrate multiple differences between the doll and the deceased child before the jury. *Id.* at 18. The trial court failing to make the ruling on substantial similarity and instead deferring that decision to the jury in how they assigned weight to the demonstration was part of the reversible error. *Id.* at 26–27.

Here, because the mannequin was first shown after the close of evidence, the Appellant had no opportunity to cross-examine any witnesses about any differences between the mannequin and the Appellant. As a result, there were no findings on the record about the height of the mannequin and how it may have compared to the height of the Appellant, and the record only reflects the parties' arguments about the mannequin. In ruling that there was no harm to the Appellant from the clothing, the trial court said, "As all of the apparel that is on the mannequin has been previously admitted, I don't think there

is any harm to the Defendant. And so the objection is overruled.” Because the trial court’s ruling did not specifically address the size of the mannequin and instead focused only on whether the clothing was admitted into evidence, the State was not required to address whether the mannequin was substantially similar to the Appellant. We agree with the Appellant that the trial court failed to determine on the record whether the mannequin was substantially similar to the Appellant and in no way responded to Appellant’s concern about the mannequin’s size. While this differs from *Andrews* because the trial court did not say on the record that the weight of the differences in the demonstrative needed to be determined by the jury, the silence on the record had that same effect. Since the judge did not specifically rule on whether the mannequin was substantially similar to the Appellant, it was left to the jury to make that decision.

To overcome the silence on the record, the State argues that trial judges are “presumed to know the law” and therefore do not need to articulate “each and every step” of their “thought process.” *State v. Chaney*, 375 Md. 168, 179–81, 180 n.8 (2003) (citation omitted); *see also Taylor v. State*, 473 Md. 205, 229 (2021) (citing same principle). However, this presumption is not absolute and may be rebutted by “proof of clear error by the judge, such as misstating or misapplying the law.” *Faulkner v. State*, 468 Md. 418, 467 (2020) (quoting *Mobuary v. State*, 435 Md. 417, 440 (2013)). Here, the Appellant argues that the judge misstated or misapplied the law by not making a finding on the substantial similarity of the mannequin. Because *Andrews* said that “the trial court was *required* to determine” substantial similarity, the silence of the record on the size of the mannequin is a misapplication of the law when contrasted with the explicit determination on the

similarity of the clothing. *Andrews*, 372 Md. at 25 (emphasis added). We agree with the Appellant that the mannequin was a part of the demonstrative. The silence on the record regarding the size of the mannequin points to error but, in our view, the size of the mannequin was not centrally relevant to the facts of the case in the manner that the size of the doll was in *Andrews*. Nevertheless, for the purposes of this opinion, we will assume that the trial court erred by not ruling expressly on the mannequin’s similarity to the Appellant.

Assuming the trial court erred, that error was harmless beyond a reasonable doubt based on the relative unimportance of the mannequin’s size to the case. Finding that the trial court erred does not necessarily require reversing the trial court’s judgment and end our analysis. We “will not overturn a judgment, even where error is found, unless it is likely that the proponent of the error was injured.” *Ingram v. State*, 427 Md. 717, 733 (2012) (concluding that there was no abuse of discretion related to a limitation on closing argument then determining that any error would have been harmless).

An error will be harmless only if we are “able to declare a belief, beyond a reasonable doubt, that the error in no way influenced the verdict.” *Taylor v. State*, 473 Md. 205, 235 (2021) (quoting *Dorsey v. State*, 276 Md. 638, 659 (1976)). The question in a harmless error analysis is “whether the error could have influenced the verdict, not whether there is evidence to support the verdict.” *Id.* at 236. This is a higher standard than just whether there was sufficient evidence to support the conviction. *Id.* at 235 (citing *Dionas v. State*, 436 Md. 97, 116–17 (2013)). The proper inquiry is “whether the trial court’s error was unimportant in relation to everything else the jury considered in reaching its verdict.”

Devincentz, 460 Md. at 561 (quoting *Dionas*, 436 Md. at 118) (finding that when a case “turned entirely” on the credibility of the defendant and the accuser that the exclusion of testimony limited the jury’s ability to weigh bias and was therefore not harmless error). Assuming that the trial court erred, we must then determine if the State’s use of the mannequin was harmless error beyond a reasonable doubt.

The potential influence on the verdict comes from the Appellant’s description of the prejudice that may have resulted from using this mannequin. At trial, the Appellant articulated the prejudice as the fact that the mannequin was “designed to scare the jury” and was “about seven feet tall” which did not accurately depict the Appellant.

This articulation of prejudice relates to the Appellant’s argument that the mannequin was unfairly prejudicial. The State argued that the Appellant failed to preserve an objection under Rule 5-403 regarding any unfair prejudice. To preserve an objection, “a timely and clearly stated objection” must be made so that the trial court “has an opportunity to consider the issue and to correct the error.” *Jordan v. State*, 246 Md. App. 561, 587 (2020)). While the Appellant did not cite Rule 5-403 in the objection argument, the record shows that the Appellant’s counsel emphasized the potential prejudice from the use of the mannequin, noting the height difference and the potential to scare the jury. This provided the trial court an opportunity to rule on these potential issues of prejudice. As a result, the Appellant’s objection as to unfair prejudice is preserved.

Maryland Rule 5-403 allows a trial court to exclude relevant evidence “if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or

needless presentation of cumulative evidence.” The trial court’s reasoning is sufficient to cover the issue of prejudice as to the clothing. The judge specifically ruled that he did not “think there is any harm to the Defendant” based on the clothing being admitted. This specifically addressed that there was no prejudice from presenting the clothing, but does not address the issue of fear or the difference in size.

The Appellant argues that the jury could have relied on the dissimilar mannequin in order to reach its verdict. The Appellant points to cases describing how “demonstrative exhibits tend to leave a particularly potent image in the jurors’ minds.” *United States v. Gaskell*, 985 F.2d 1056, 1061 n.2 (11th Cir. 1993) (citing cases from other circuits). That is why courts must “weigh the demonstrative evidence’s probative value against the possibility of unfair prejudice or confusion.” *Andrews*, 372 Md. at 21 (quoting *Ware*, 348 Md. at 65).

However, the Appellant here fails to clearly articulate *how* a taller mannequin wearing clothing that was admitted into evidence has a tendency to create prejudice. “[T]he fact that evidence prejudices one party or the other, in the sense that it hurts his or her case, is not the undesirable prejudice referred to in Rule 5–403.” *Odom v. State*, 412 Md. 593, 615 (2010) (quoting Lynn McLain, *Maryland Evidence State and Federal* § 403:1(b) (2d ed. 2001)). Evidence becomes *unfairly* prejudicial “if it might influence the jury to disregard the evidence or lack of evidence regarding the particular crime with which he is being charged.” *Id.* (quoting McLain, *supra*, at § 403:1(b)).

The Appellant points to *Andrews* and its language that even if the jurors “may have relied” on the improper demonstration, that would be sufficient to show prejudice. 372 Md.

at 27. However, as discussed above, that possibility of prejudice existed in the jury's deliberations because the demonstration in *Andrews* went directly towards facts at issue about the force needed to cause harm to the child. *Id.* at 25–26. Here, the mannequin being taller than the Appellant would not create the possibility of the same improper effect. If anything, in a case where identity is in dispute, a dissimilar mannequin could even help in presenting a case to show that the Appellant was not the only person who could have committed the crime.

The Appellant's counsel also described being “scared” by the mannequin. That comment is insufficient to create a showing of unfair prejudice, especially where the height was never commented on by any parties before the jury. We hold that the difference in height of the mannequin would not be likely to produce such an emotional response that the jury would disregard the lack of evidence about the particular crime.

This is especially the case when this error was unimportant in relation to everything else that the jury considered. *Devincentz*, 460 Md. at 561 (quoting *Dionas*, 436 Md. at 118). The jury had evidence of the clothing itself matching the individual captured on the security video, that the Appellant was found near where the stolen pills were recovered, that the Appellant had a glove matching the glove found in the idling car containing a loaded handgun in the parking lot near where the pills were recovered, and that the Appellant had a black face mask in his pocket when he was arrested that matched the security video. The size of the mannequin was unimportant in relation to the rest of the evidence that the jury had to consider. The mannequin did not cause the jury to disregard any lack of evidence in this case where there was more than sufficient evidence that the jury could consider in

reaching its verdict.

We conclude that no reversal is required in this case because any differences in the mannequin would have resulted in harmless error based on the record before us.

CONCLUSION

Accordingly, we affirm the judgment of the Circuit Court for Anne Arundel County.

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