

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 182

September Term, 2025

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JAYVON MARQUIS THOMAS

v.

STATE OF MARYLAND

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Wells, C.J.,  
Albright,  
Meredith, Timothy E.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: February 20, 2026

Following a jury trial in the Circuit Court for Prince George’s County, Jayvon Marquis Thomas, appellant, was convicted of illegal possession of a regulated firearm, possession of a regulated firearm under the age of 21 years, possession of a firearm without a serial number, illegal possession of ammunition, and allowing a minor to access a firearm. His sole contention on appeal is that the trial court plainly erred by allowing the prosecutor to make an improper closing argument. We decline to exercise our discretion to engage in plain error review of this issue and shall affirm the judgments of the circuit court.

During rebuttal closing, the prosecutor showed a clip of the television show *Mad Men*, stating that “there’s a scene in the TV show that reminds me of what the Defendant is trying to argue” and that he was “going to play the clip because I think it does a nice job of encapsulating what the main character is trying to do and I think it applies to this case.” In the clip, the main character, Don Draper, who works for an advertising firm, is talking to a corporate executive who intends to demolish Penn Station in New York and is concerned about public opinion. Mr. Draper advises the executive that if “you don’t like what is being said, change the conversation.” After playing the clip, the prosecutor indicated that because appellant “doesn’t like the evidence” “he’s trying to change the conversation” and that “a lot of what Defense counsel talked about is really a distraction from the important evidence in the case.”

On appeal, appellant asserts that the State’s use of the television clip was improper because it was not evidence and it “impugned the ethics and professionalism of defense counsel, by comparing the conduct of the defendant and his attorney to the conduct of the remorseless and ethically challenged characters for which *Mad Men* was famous.” He

acknowledges, however, that this claim is not preserved because he did not raise this objection at trial. He therefore requests that we engage in plain error review.

Although this Court has discretion to review unpreserved errors pursuant to Maryland Rule 8-131(a), the Supreme Court of Maryland has emphasized that appellate courts should “rarely exercise” that discretion because “considerations of both fairness and judicial efficiency ordinarily require that all challenges that a party desires to make to a trial court’s ruling, action, or conduct be presented in the first instance to the trial court[.]” *Ray v. State*, 435 Md. 1, 23 (2013) (quotation marks and citation omitted). Therefore, plain error review “is reserved for those errors that are compelling, extraordinary, exceptional or fundamental to assure the defendant of a fair trial.” *Savoy v. State*, 218 Md. App. 130, 145 (2014) (quotation marks and citation omitted). Under the circumstances presented, we decline to overlook the lack of preservation and thus do not exercise our discretion to engage in plain error review. *See Morris v. State*, 153 Md. App. 480, 506-07 (2003) (noting that the five words, “[w]e decline to do so[,]” are “all that need be said, for the exercise of our unfettered discretion in not taking notice of plain error requires neither justification nor explanation”) (emphasis and footnote omitted).

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