

Circuit Court for Howard County
Case No.: C-13-CR-22-000257

UNREPORTED

IN THE APPELLATE COURT
OF MARYLAND*

No. 187

September Term, 2025

ANTHONY TARPLEY

v.

STATE OF MARYLAND

Zic,
Ripken,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 26, 2025

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

In November 2022, a jury in the Circuit Court for Howard County found Anthony Tarpley, appellant, guilty of second-degree rape, third-degree sex offense, fourth-degree sex offense, and second-degree assault. The court sentenced him to 35 years’ imprisonment for second-degree rape and a to a concurrently run term of 10 years for third-degree sex offense. The remaining convictions were merged for sentencing purposes. On direct appeal, Tarpley raised a single issue relating to the admission of lab results from a sexual forensic exam kit. Because Tarpley failed to preserve the issue for appellate review, we declined to address it and affirmed the judgments. *Tarpley v. State*, No. 49, September Term, 2023 (filed unreported April 16, 2024), *cert. denied*, 487 Md. 470 (2024).

Thereafter, Tarpley, representing himself, filed in his criminal case a number of pleadings—one of which he captioned a petition for writ of mandamus—in which he sought to compel the State to turn over certain items, including a transcribed interview with a State witness, chain-of-custody logs, and an electronic case file from Bode Technology (as well as a transcribed copy of Bode’s entire case file). It appears that Tarpley is seeking this information to support a petition for DNA testing pursuant to Md. Code, Criminal Procedure § 8-201 and/or a petition for writ of actual innocence pursuant to Criminal Procedure § 8-301. The court convened two hearings on Tarpley’s request and denied it after finding that “the State has provided the necessary and required documents to Mr. Tarpley as required by the Rules as well as required by law.”

On appeal, Tarpley requests that this court “remand the case with instructions to have the State disclose all documents requested by Appellant.” He attached to his brief

various pleadings and exhibits he had filed in the circuit court and reiterates the claims he made before the circuit court.

The State asserts that the court did not err in its ruling. Prior to trial, the interview of the witness had been provided to the defense. Tarpley, however, wants a transcribed copy but the State maintains that the interview was never transcribed. Tarpley points to no authority that would require the State to provide him, post-trial, with a transcription of the witness's pre-trial interview when that interview was never transcribed.

The State also maintains that the other documents Tarpley is seeking have already been provided to him or are not something it possesses. For instance, he seeks the "first page" of a report by Bode Technology, but after reviewing the issue and the document the court properly concluded that the State had provided Tarpley with all the pages. The court also found that the State had given Tarpley everything it had received from Bode and, therefore, could not fulfill his request seeking, in Tarpley's words, "an electronic file from Bode Technology as well as a complete transcribed copy of the entire casefile." The court credited the State's assertion that it had turned over to Tarpley all the Bode documents in its possession. Moreover, Tarpley again cites no authority that would require the State to transcribe the Bode "entire casefile."

As for the "log of the proper chain of custody" related to a SAFE kit, the State maintains that after "lengthy discussion" at the hearing "it became clear that Mr. Tarpley possessed the chain of custody form but believed that certain time frames had been omitted." The State asserts that it "cannot create a more detailed chain of custody from that which was provided the various investigators." We agree.

In sum, Tarpley has not persuaded us that the circuit court erred in concluding that “the State has provided the necessary and required documents to Mr. Tarpley as required by the Rules as well as required by law.”

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