

Circuit Court for Allegany County  
Case No. C-01-CR-23-000408

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 293

September Term, 2025

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KEITH ELLIOTT JONES

v.

STATE OF MARYLAND

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Friedman,  
Kehoe, Stephen H.,  
Kenney, James A., III  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: May 14, 2026

\*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.

Convicted by juries in the Circuit Court for Allegany County of two counts of possession of cocaine with intent to distribute and related offenses, Keith Elliott Jones, appellant, presents for our review a single issue: whether the court erred “in admitting . . . evidence of cocaine with an insufficient chain of custody.” For the reasons that follow, we shall affirm the judgments of the circuit court.

On June 7, 2023, Mr. Jones was charged by indictment with committing three offenses on April 25, 2023, three offenses on May 1, 2023, and eight offenses on other dates. On July 8, 2023, defense counsel filed a demand pursuant to Md. Code (2006, 2020 Repl. Vol.), § 10-1003 of the Courts & Judicial Proceedings Article (“CJP”),<sup>1</sup> that the “prosecutor . . . require the presence at any hearing or trial, as a prosecution witness, of any and all persons in the chain of physical custody or control of evidence consisting of or containing a substance tested or analyzed to determine whether it is a controlled dangerous substance.”

On November 29, 2023, trial commenced as to the offenses alleged to have been committed on April 25, 2023. The State called Maryland State Senior Trooper Daniel Peterson, who testified that on that date, he purchased from Mr. Jones, in an undercover capacity, one hundred dollars’ worth of cocaine. Trooper Peterson identified State’s Exhibit One as “the two baggies of cocaine that [he] purchased from [Mr.] Jones,” and confirmed that the “baggies” were “in substantially the same condition as they were when

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<sup>1</sup>CJP § 10-1003 states, in pertinent part: “In a criminal proceeding, the prosecution shall, upon written demand of a defendant filed in the proceedings at least 5 days prior to a trial in the proceeding, require the presence of the chemist, analyst, or any person in the chain of custody as a prosecution witness.”

[the trooper] bought them.” The State also called Maryland State Master Trooper Justin Mallow, who testified that he arranged for the purchase, recorded it on video, and surveilled it from a distance. After the transaction, the troopers “took the drugs back to the . . . Task Force evidence room[,] processed the drugs,” and forwarded them “to the Maryland State Police Drug Crime Unit.” Defense counsel subsequently objected to the chain of custody of the cocaine on the grounds that it “has an incorrect date and . . . doesn’t show who transported the drugs and to what location.” The court overruled the objection. Trooper Mallow subsequently identified State’s Exhibit One as “the cocaine that was seized from Mr. Jones that [he] gave to Senior Trooper Peterson,” and confirmed that it was “in substantially the same condition as it was when it was packaged.” The State also called Maryland State Police Forensic Scientist Adonia Sadure, who confirmed that State’s Exhibit One “seem[ed] to be” in “substantially the same condition as it was when [she] received it.” Ms. Sadure testified that she tested the substance contained in the exhibit and “confirmed the presence of cocaine.” The jury subsequently convicted Mr. Jones of possession of the cocaine with intent to distribute and related offenses.

On December 6, 2023, trial commenced as to the offenses alleged to have been committed on May 1, 2023. The State called Trooper Peterson, who testified that on that date, he purchased from Mr. Jones, in an undercover capacity, one hundred dollars’ worth of cocaine. The trooper identified State’s Exhibit Two as the “cocaine that [he] purchased during the . . . transaction,” and confirmed that the cocaine was “in substantially the same condition as it was when [he] placed it in the evidence locker.” Trooper Peterson testified that the “cocaine was [subsequently] taken into the evidence lab and processed by the

forensic examiner.” The State also called Trooper Mallow, who testified that he arranged for the purchase, recorded it on video, and surveilled it from a distance. The State also called Ms. Sadure, who confirmed that State’s Exhibit Two “was received at [the police’s] Hagerstown lab[] from the Central Receiving Unit,” was “continuously under [her] care and custody and control when [she] had it,” and was “in the same condition . . . as it was when [she] first received it.” Ms. Sadure testified that she tested the substance contained in the exhibit and “confirm[ed] the presence of cocaine.” When the State moved to have the exhibit admitted into evidence, defense counsel objected on the ground of “[t]he chain of custody argument previously made.” The court overruled the objection and admitted the exhibit into evidence. The jury subsequently convicted Mr. Jones of possession of the cocaine with intent to distribute and related offenses.

Mr. Jones contends that because “[t]he State cannot admit evidence under [CJP] § 10-1001’s procedural shortcut<sup>2</sup> if a defendant invokes the right to have all witnesses produced pursuant to [CJP] § 10-1003,” the court erred in admitting the cocaine at each trial. We disagree. It is true that “where there has been an invocation of the right to have all witnesses produced pursuant to [CJP] § 10-1003, the State may not proceed under the

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<sup>2</sup>CJP § 10-1001 states, in pertinent part: “For the purpose of establishing that physical evidence in a criminal or civil proceeding constitutes a particular controlled dangerous substance under Title 5 of the Criminal Law Article, a report signed by the chemist or analyst who performed the test or tests as to its nature is prima facie evidence that the material delivered to the chemist or analyst was properly tested under procedures approved by the Maryland Department of Health, that those procedures are legally reliable, that the material was delivered to the chemist or analyst by the officer or person stated in the report, and that the material was or contained the substance therein stated, without the necessity of the chemist or analyst personally appearing in court[.]”

streamlined procedure and instead, must establish a proper chain of custody that negates a reasonable probability of alteration or tampering.” *Wheeler v. State*, 459 Md. 555, 569 (2018). But, “Rule 5-901 requires only that there be sufficient authentication as a condition precedent to the admissibility of the evidence[] that satisfies a finding that the evidence is what it purports to be.” *Id.* Here, the officer who originally recovered the cocaine, specifically Trooper Peterson, identified at each trial the cocaine offered into evidence as the cocaine that he purchased from Mr. Jones and testified that the cocaine was in substantially the same condition as it was when the trooper bought it. Trooper Mallow gave similar testimony at the trial on the offenses alleged to have been committed on April 25, 2023. Finally, the scientist who tested the cocaine, specifically Ms. Sadure, testified at each trial that the cocaine admitted into evidence was in substantially the same condition as it was when she received it. This testimony was sufficient to satisfy a finding that the cocaine tested by Ms. Sadure was the same cocaine purchased from Mr. Jones by Trooper Peterson, and hence, the court did not err in admitting the cocaine.

**JUDGMENTS OF THE CIRCUIT COURT  
FOR ALLEGANY COUNTY AFFIRMED.  
COSTS TO BE PAID BY APPELLANT.**