

Circuit Court for Howard County
Case No. C-13-CR-24-000548

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 336

September Term, 2025

DANIEL ABDUL BANGURA

v.

STATE OF MARYLAND

Zic,
Tang,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 2, 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

Following a jury trial in the Circuit Court for Howard County, Daniel Abdul Bangura, appellant, was convicted of possession of a regulated firearm by a person convicted of a disqualifying crime; possession of a regulated firearm while on supervised probation; possession of a regulated firearm while under the age of twenty-one; and wearing and carrying a loaded firearm. He raises a single issue on appeal: whether the court erred in prohibiting him from eliciting his co-defendant's out-of-court statement that the gun belonged to him. For the reasons that follow, we shall affirm.

Viewed in a light most favorable to the State, the evidence at trial demonstrated that appellant was a passenger in a vehicle that was involved in a collision while being driven by his co-defendant Jalen Swayne. Immediately following the collision, appellant exited the vehicle “very fast” carrying a red bag, and then proceeded to hide the bag next to a nearby laundromat. The police ultimately located the bag, which contained a Glock 17 9mm pistol and a white ski mask. A search of appellant's cell phone revealed that approximately one month before the accident, appellant had texted Swayne and asked him for a ride so he could pick up a “G17.” Three days later, appellant and Swayne texted each other photos of themselves holding the same gun, which was similar in appearance to the gun recovered in the red bag.

During cross-examination of the lead detective, appellant's counsel attempted to ask whether Swayne had ever told the police that the gun was his. The prosecutor immediately objected on the grounds that the question was outside the scope of direct, that the statement was not relevant, and that it was a “blatant attempt to get inadmissible hearsay in front of the jury in the form of a question.” The following discussion then occurred:

[Defense]: So the way I go about the relevance is that –

[Court]: It's not (indiscernible). It's not relevant. How does it come in? It's not part of the (indiscernible). It's been offered as a co-conspirator statement but it's not a part of this case. So how does (indiscernible).

[Defense]: I understand the Court's concern.

[Court]: Do you have any –

[Defense]: I have no response to that.

[Court]: Okay. All right. Your objection is sustained.

Appellant then informed the court that he wanted another lawyer because the jury needed to hear Swayne's statement. The court responded that he understood what appellant was saying but that the jury would "not hear that because it's inappropriate hearsay evidence that is not admissible in this court." Appellant's counsel did not offer any further argument seeking the statement's admissibility.

On appeal, appellant claims that the court abused its discretion in not allowing him to cross-examine the detective about Swayne's statement because it was both relevant and admissible under the "statement against interest" hearsay exception. The State's initial response to this argument is that he waived his right to challenge the court's finding that the statement was inadmissible hearsay. We agree. Maryland's appellate courts ordinarily will not consider "any issue 'unless it plainly appears by the record to have been raised in or decided by the trial court[.]'" *King v. State*, 434 Md. 472, 479 (2013) (quoting Md. Rule 8-131(a)). Further, where a party acquiesces in a court's ruling, there is no basis for appeal from that ruling. *See Grandison v. State*, 305 Md. 685, 765 (1986) ("By dropping the subject and never again raising it, [appellant] waived his right to appellate review[.]"). As

our Supreme Court has further explained: “[t]he doctrine of acquiescence -- or waiver -- is that ‘a voluntary act of a party which is inconsistent with the assignment of errors on appeal normally precludes that party from obtaining appellate review.’” *Exxon Mobil Corp. v. Ford*, 433 Md. 426, 462, (2013) (citations, quotation marks, and emphasis omitted); *see also Gilliam v. State*, 331 Md. 651, 691 (1993) (“As Gilliam did not object to the course of action proposed by the prosecution and taken by the court, and apparently indicated his agreement with it, he cannot now be heard to complain that the court’s action was wrong.”).

In response to the State’s hearsay objection, the court specifically asked appellant’s counsel how the statement could come in. Rather than asserting that the statement was admissible as a statement against interest, as appellant now claims on appeal, or making any other argument regarding admissibility, counsel indicated that he understood the court’s concern. Then, he specifically told the court that he had “no response” to its question regarding admissibility. Under those circumstances, we are persuaded that appellant acquiesced to the court’s ruling.¹ Thus, he may not now complain on appeal that the court failed to consider the validity of a hearsay exception that he did not raise below. Consequently, we shall affirm the judgments of the circuit court.

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

¹ We note that appellant does not contend that his trial counsel was ineffective in failing to argue that the statement was admissible as a statement against interest. Consequently, we will not address that issue on appeal.