

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 377

September Term, 2025

JOSHUA EMMANUEL EDMOND

v.

STATE OF MARYLAND

Nazarian,
Leahy,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: June 22, 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 Montgomery County, Joshua Emmanuel Edmond, appellant, was convicted of carrying a loaded handgun on his person in violation of Md. Code, Crim. Law Art. § 4-203. On appeal, he contends that the evidence was insufficient to sustain his conviction because the State failed to prove that he “was capable of exercising dominion or control” over the firearm. Appellant acknowledges that this contention is not preserved for appellate review as he did not raise it when making his motion for judgment of acquittal. *See Peters v. State*, 224 Md. App. 306, 353 (2015) (“[R]eview of a claim of insufficiency is available only for the reasons given by [the defendant] in his motion for judgment of acquittal.” (quotation marks and citation omitted)). Therefore, relying on *Testerman v. State*, 170 Md. App. 324 (2006), he asks us to conclude that his defense counsel’s failure to preserve this issue constituted ineffective assistance of counsel.

However, “[p]ost-conviction proceedings are preferred with respect to ineffective assistance of counsel claims because the trial record rarely reveals why counsel . . . omitted to act, and such proceedings allow for fact-finding and the introduction of testimony and evidence directly related to allegations of the counsel’s ineffectiveness.” *Mosley v. State*, 378 Md. 548, 560 (2003). And, unlike in *Testerman*, we are not persuaded that the record in this case is sufficiently developed to permit a fair evaluation of appellant’s claim that his defense counsel was ineffective. Consequently, *Testerman* does not require us to consider that claim on direct appeal, and we decline to do so.

**JUDGMENT OF THE CIRCUIT
COURT FOR MONTGOMERY**

**COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**