

Circuit Court for Baltimore County  
Case No. C-03-CR-21-004235

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 436

September Term, 2023

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DEVONTA REYNOLDS

v.

STATE OF MARYLAND

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Arthur,  
Reed,  
Friedman

JJ.

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Opinion by Friedman, J.

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Filed: September 12, 2025

\* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to MD. RULE 1-104(a)(2)(B).

Following a jury trial in the Circuit Court for Baltimore County, appellant Devonta Reynolds was convicted of first-degree burglary, theft, and unlawful taking of an automobile. Reynolds was sentenced to a total of 25 years' imprisonment. In this appeal, Reynolds argues that (1) the trial court abused its discretion in denying his motion for a postponement to allow newly retained private counsel to prepare for trial; (2) the trial court abused its discretion in admitting surveillance video into evidence without proper authentication; and (3) the evidence is insufficient to support his conviction for first-degree burglary. For the reasons that follow, we affirm the rulings of the trial court.

### **BACKGROUND**

On September 24, 2021, the house located at 6206 Haddon Avenue in Towson was burglarized. In addition to jewelry, electronics, and other personal items, the victims' red 2000 Toyota Corolla and its keys were missing. Police used the LoJack system installed in the car to track it. Later that day, the signal led them to a parking lot near 6510 Falkirk Road behind the Park Crescent Apartments.<sup>1</sup> An officer attached a GPS device to the car to track its movements over the next few days.

On September 27th, police monitoring the stolen car observed that it was traveling into Baltimore City. Officers decided it was time to recover the car and arrest the driver. When police tried to stop the car, however, the vehicle pulled over and the unidentified driver fled on foot.

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<sup>1</sup> In the transcript, Park Crescent Apartments are referred to as Parkcrest Apartments. This appears to be a transcription error.

Police used the GPS data from the tracker they had attached to determine that the car had twice been driven to a local pawnshop, Poplar Jewelry and Loan. Detective Michael Kolsevich met with the manager of the pawnshop to review surveillance footage from the day and time that correlated with the GPS data. The surveillance video showed the Corolla parking in front of the pawnshop. The driver exited the car and went inside. Additional video from inside the pawnshop showed the driver presenting several items of jewelry to be evaluated. Detective Kolsevich noted that the driver had a distinctive scar above one eyebrow. Later that same day, police received a report of a disturbance at 6500 Falkirk Road, the same area where they had first located the stolen car. During the call, a man named Devonta Reynolds was mentioned. Reynolds' MVA photo matched the man in the pawnshop surveillance video due in part to his scar. Police later arrested Reynolds.

At trial, the State presented evidence tracing Reynolds' activities at the time of the burglary and in the days immediately following. The State used the GPS data from the tracking device, analysis of Reynolds' cellular location records subpoenaed from AT&T, and surveillance footage from Park Crescent Apartments and from Poplar Jewelry and Loan. Analysis of cellular location records showed that during the timeframe that the burglary occurred, Reynolds' cellphone connected to a tower near the crime scene. Calls to and from Reynolds' cellphone revealed that he returned to the area of Park Crescent Apartments shortly after the time that the victims returned home. Surveillance video from Park Crescent showed Reynolds driving the victims' red Toyota Corolla into the alley behind the apartments around that time. Later in the afternoon, a Park Crescent camera also recorded Reynolds walking from the car toward 6500 Falkirk Road carrying a blue

backpack, later identified as belonging to the victims. He wore distinctive black and white Nike shoes.

Not long after, surveillance video from Park Crescent Apartments showed Reynolds leaving the apartment building and driving the victims' car out of the alley. Cellular data placed Reynolds near Poplar Jewelry and Loan a little more than an hour later. Video recovered from the pawnshop showed Reynolds exiting the stolen car around that time, carrying the blue backpack, and entering the pawnshop. The camera inside the pawnshop recorded Reynolds handing the owner a bag of jewelry. The pawnshop's owner testified that he evaluated the jewelry and made Reynolds an offer, but Reynolds did not sell anything that day. Reynolds returned to Park Crescent Apartments a few hours later.

Video from Park Crescent Apartments on the following day, September 25th, showed Reynolds again leaving in the victims' car around noon, carrying the blue backpack and wearing the same distinctive shoes. Both cellular location and GPS data tracked Reynolds traveling from the area of Park Crescent Apartments to the area of the pawnshop. The pawnshop's video from the same timeframe showed the red Corolla parked outside. Reynolds again entered the pawnshop with items to be evaluated.<sup>2</sup>

Surveillance video and location data tracked Reynolds over the next two days until he abandoned the car in Baltimore. Video from Park Crescent Apartments on September 26th showed Reynolds again driving in the victim's car, this time wearing a distinctive

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<sup>2</sup> The items Reynolds presented for evaluation included four rings, a pocket watch, and some necklaces. The owner of the pawnshop testified that there were no photographs or records of the items because the pawnshop did not purchase them.

jacket with a white stripe down the sleeve. Cellular location and GPS data from September 27th showed Reynolds traveling into Baltimore City, where he abandoned the car. After the car was recovered, it was searched. In the backseat, police found a distinctive black jacket with a stripe down the sleeve and the blue backpack that belonged to the victims, both of which are visible in several of the surveillance videos. Police also recovered several pieces of jewelry that belonged to the victims. DNA testing on the jacket and a cigarette butt left in the car matched Reynolds. A search warrant was executed on Reynolds' apartment after he was arrested. Police seized two pairs of shoes that matched the shoes that Reynolds was seen wearing when he abandoned the car and fled, and that he was wearing in several of the surveillance videos.

## **DISCUSSION**

### **I. CONTINUANCE**

First, Reynolds challenges that the trial court erred in denying his request for a continuance to allow newly retained private counsel to enter an appearance and have time to prepare for trial. We are not persuaded.

On the first day of trial prior to jury selection, Reynolds' court appointed attorney, Michael Jacko, explained to the trial court that several weeks prior, he had notified Reynolds that his trial might be delayed due to a conflict in Jacko's trial schedule. In anticipation of that possible postponement, Reynolds began looking for private counsel. Jacko's schedule conflict resolved itself such that Reynolds' trial was able to continue as planned. Despite that, Reynolds continued looking for private counsel to replace Jacko. As a result, on the morning of trial, a privately-retained attorney, Henry Barnes, was present

in anticipation of entering his appearance on behalf of Reynolds. Barnes informed the court that entering his appearance was contingent, however, on being granted a continuance because he was “in no position to try [Reynolds’] case.” Reynolds, therefore, requested a continuance.

The trial judge referred the request to the county administrative judge. In response to questioning, the State and Jacko informed the administrative judge that they were prepared to go to trial that morning.<sup>3</sup> Jacko noted that he had been appointed to represent Reynolds soon after the indictment, roughly 17 months before the trial date. Reynolds explained that he wanted Barnes to represent him because Reynolds’ father had “already talked to [Barnes] about a lot of things that” Reynolds had not discussed with Jacko. As a result, Reynolds “[felt] as though Mr. Barnes [had his] best interest at heart.” The administrative judge found that there was no good cause to grant a continuance and denied Reynolds’ request.

The decision to grant or deny a request for a continuance is within the sound discretion of the trial judge. *Howard v. State*, 440 Md. 427, 441 (2014); *Abeokuto v. State*, 391 Md. 289, 329 (2006). We note that at the hearing, Reynolds did not express dissatisfaction with or ask to discharge his appointed attorney. Rather, Reynolds asserted

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<sup>3</sup> Jacko noted two possible exceptions to being prepared for trial. *First*, he had received additional discovery from the State the previous night and had not yet had time to determine if it included any new information. *Second*, during the hearing, Reynolds alluded to sharing new information relevant to his defense with Barnes. There is nothing in the record suggesting that either the newly received discovery or Reynolds’ conversation with Barnes included any new information.

only that it was his preference to be represented by Barnes. Nothing in the record suggests any reason that Reynolds could not have sought private counsel at any point during the roughly 17 months that his case had been pending. Under the circumstances, we conclude that the county administrative judge did not abuse his discretion in denying Reynolds' request for a continuance.

## II. SURVEILLANCE VIDEO

Reynolds next challenges that the trial court abused its discretion in admitting into evidence video footage and still photographs taken from the surveillance cameras at the Park Crescent Apartments. Specifically, Reynolds argues that the sponsoring witness, Detective Kolsevich, “was not the person who installed, maintained, or operated the video surveillance system,” and that the State did not present enough evidence “about the types of cameras or equipment used or the quality of the recordings produced.” We disagree that the court abused its discretion in admitting the video footage and still photographs.

We review a trial court's decision to admit video evidence for abuse of discretion. *Reddick v. State*, 263 Md. App. 562, 579 (2024). For video to be admissible, “there must be sufficient evidence for a reasonable juror to find more likely than not that the evidence is what it is purported to be.” *Mooney v. State*, 487 Md. 701, 708 (2024). Video can be authenticated in a variety of ways, including through first-hand knowledge, as a “silent witness,” or through circumstantial evidence. *Jackson v. State*, 460 Md. 107, 116-17 (2018); MD. RULE 5-901(b). The proponent's burden of proof to authenticate video evidence is low. *Reddick*, 263 Md. App. at 578-79. The trial court “need not find that the evidence is necessarily what the proponent claims, but only that there is sufficient evidence

that the jury ultimately might do so.” *Id.* at 578-79 (quoting *Dickens v. State*, 175 Md. App. 231, 239 (2007)). Once that threshold is met, the evidence is admissible and “the ultimate question of authenticity is left to the jury.” *Reddick*, 263 Md. App. at 579 (quoting *Gerald v. State*, 137 Md. App. 295, 304 (2001)).

Here, Detective Kolseovich testified that he recovered surveillance video from the Park Crescent Apartments on October 13th. An employee in the office logged into the computer that controls the surveillance system. The detective described that the surveillance cameras were on a DVR system that allowed a user to see all the cameras at once in small windows, or to select individual cameras. He checked the real-time activity of the system to confirm that the time and date stamps were accurate and then narrowed down the cameras to those that covered the areas he needed. After he identified the relevant cameras, he then used the time and location data from the GPS tracker and searched for the correlating videos to determine if anything of relevance was recorded. When he had isolated the recordings he needed, he downloaded them to a USB drive. He described that the entire process took him several hours over the course of two days. He further testified that the video was not modified in any way. He noted that he obtained a certification from Park Crescent Apartments that the videos were an accurate reproduction of the records they regularly kept.

Reynolds contrasts the evidence offered to authenticate the Park Crescent Apartments video with the foundation laid for the admission of the video from Poplar Jewelry and Loan. Reynolds observes that the employee who installed the system at Poplar testified and provided detailed technical information. Reynolds asserts that, in comparison,



the authentication of the apartment complex video was “lacking.” Although Reynolds’ observations are not incorrect, the law does not require that all videos offered at a trial must be authenticated in the same way or by the same quantum of evidence. *See Jackson*, 460 Md. 107 (noting that Maryland lacks “any rigid, fixed foundational requirements for admission of evidence under the silent witness theory” (cleaned up)). The law recognizes different methods of authentication, and the threshold for making a prima facie showing that the evidence is admissible is evaluated separately for each piece of evidence, not in comparison to what else is offered at the same trial. *See Reddick*, 263 Md. at 579 (noting that evidence is admitted after merely “a prima facie showing that a proffered document is genuine”). That there was more information available to authenticate the surveillance video from Poplar Jewelry and Loan did not change or raise the standard to authenticate other evidence that would be introduced.

Here, Detective Kolsevich demonstrated a familiarity with the type of DVR surveillance system used by the apartment complex, and described the process by which he accessed the system and downloaded the recordings. Moreover, he verified to the court that the time and date information on the recordings was accurate and that the videos had not been tampered with or altered in any way. In addition, Park Crescent’s certification of the recordings’ accuracy was also admitted into evidence. This testimony was sufficient to authenticate the evidence. While additional details about the surveillance system would also have been admissible to authenticate the recordings, the rules of evidence do not require any one piece of technical information for a recording to be admissible. The trial court did not abuse its discretion in admitting the recordings at trial.

### III. SUFFICIENCY OF THE EVIDENCE

Finally, Reynolds challenges that the evidence was insufficient to support his conviction for first-degree burglary because there was no evidence recovered at the scene, such as fingerprints, to directly show that he was the individual who entered the victims' house. Reynolds urges us to hold that his possession of recently stolen goods was insufficient to support the inference that he was the person who committed the burglary. Well-established caselaw, however, refutes Reynolds' argument.

We review a challenge to the sufficiency of the evidence supporting a criminal conviction to determine “whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Potts v. State*, 231 Md. App. 398, 415 (2016). We view “not just the facts, but all rational inferences that arise from the evidence, in the light most favorable to the prevailing party.” *Smith v. State*, 232 Md. App. 583, 594 (2017) (cleaned up). Moreover, we give “due regard to the fact-finder’s findings of facts, its resolution of conflicting evidence, and, significantly, its opportunity to observe and assess the credibility of witnesses.” *Potts*, 231 Md. App. at 415 (cleaned up).

Under Maryland law, “[i]t is well-settled that circumstantial evidence alone is sufficient to support a conviction, provided the circumstances support rational inferences from which the trier of fact could be convinced beyond a reasonable doubt of the guilt of the accused.” *Ware v. State*, 170 Md. App. 1, 29 (2006) (cleaned up). In particular, it is a long-standing rule of evidence established in Maryland caselaw that “possession of recently stolen goods, absent a satisfactory explanation, permits the drawing of an

inference ... that the possessor was the thief ... or, where the theft was compounded, that the possessor was also the burglar.” *Molter v. State*, 201 Md. App. 155, 169 (2011) (cleaned up) (quoting *Brewer v. Mele*, 267 Md. 437, 449 (1972)).

Here, there is ample circumstantial evidence establishing that Reynolds was in exclusive possession of many of the stolen items, including the victims’ car, within hours of the burglary. In addition, the analysis of the GPS tracking data when compared with the location information extracted from Reynolds’ cellphone records provide evidence from which the jury could have inferred that Reynolds was at the victims’ house at the likely time of the burglary. Thus, there was indeed sufficient circumstantial evidence to support Reynolds’ conviction for not only theft but also first-degree burglary.

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