

Circuit Court for Montgomery County
Case No. C-15-CR-24-000588

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 649

September Term, 2025

DARRYL MARTINO GOSS-GEFFRARD

v.

STATE OF MARYLAND

Wells, C.J.,
Zic,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 7, 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 a jury in the Circuit Court for Montgomery County of third degree sexual offense, Darryl Martino Goss-Geffrard, appellant, presents for our review a single issue: whether the court “plainly err[ed] by permitting the prosecutor to vouch for a witness’s credibility and speculate about facts not in evidence during closing arguments.” For the reasons that follow, we shall affirm the judgment of the circuit court.

At trial, the State called A., who at the time of Mr. Goss-Geffrard’s March 2025 trial was fourteen years old. A. testified that on March 1, 2024, A. “went out with [her] friends” to a shopping center. A. and her friends were standing “around [a] barbershop” when they “ran into” a man that A. identified at trial as Mr. Goss-Geffrard. When the group asked Mr. Goss-Geffrard if he had “weed,” he replied, “yes, hold on,” and entered the barbershop. After A.’s friends went into a store, Mr. Goss-Geffrard exited the barbershop and told A.: “[L]et’s just wait in the car.” Inside Mr. Goss-Geffrard’s car, he asked A. “how old [she] was,” and she replied that she “was underage and . . . in middle school.” Mr. Goss-Geffrard subsequently drove A. to some “white apartments.” Inside one of the apartments, Mr. Goss-Geffrard took his and A.’s clothes off, put a belt around A.’s neck, “called [A.] a dog,” and put his penis in A.’s mouth. Mr. Goss-Geffrard then put his penis in A.’s vagina, and approximately twenty minutes later, he ejaculated. The following morning, Mr. Goss-Geffrard dropped A. off at a Panera Bread, gave her twenty dollars, and departed.

The State also called Mark Peuser, who testified that he had been neighbors with Mr. Goss-Geffrard, and in 2024, had known him for approximately three years. At

approximately 8:30 p.m. on March 1, 2024, Mr. Peuser answered a knock on his door and saw Mr. Goss-Geffrard and a girl. Mr. Peuser testified:

I was surprised that the girl was there. I didn't know she was coming, and I didn't realize I didn't have any toilet paper for them, because I thought they were going to be my guests and stay, you know, so I went and got toilet paper and when I got back they were naked on my couch.

Mr. Peuser subsequently “went into [his] room” and “stayed away from them.” The State also produced evidence that on March 1, 2024, Mr. Goss-Geffrard was 35 years old.

Mr. Goss-Geffrard contends that the court “erred in failing to take any curative action in response to the” following remarks by the prosecutor during closing and rebuttal arguments:

I truly think that Mark has never managed to tell a lie in his life. He was the most genuine and sincere person that ever walked into this courtroom. He has absolutely no reason to make this up. He has nothing to gain and nothing to offer from anyone in this case. All he's going to do is tell you what he so unexpectedly witnessed in his house.

* * *

What 35-year-old man does that? What intention does a 35-year-old man have to isolate teenage girls like that? I'll tell you, it's not good. And we later learned what his intentions are, this weird, this weird behavior, through [A.] and through Mark And it was to have sex with this girl and act out his fantasies that he knew an adult woman wouldn't allow.

Mr. Goss-Geffrard contends that the prosecutor “vouch[ed] for a key witness's credibility and speculate[d] about facts not in evidence,” and the “court's failure to take any curative action in response . . . deprived Mr. Goss-Geffrard of his constitutional right to a fair trial.” Acknowledging that defense counsel “did not object to these . . . portions of the prosecutor's argument,” Mr. Goss-Geffrard “urge[s us] to recognize plain error.”

We decline to do so. Although this Court has discretion to review unpreserved errors pursuant to Rule 8-131(a) (“[o]rdinarily, an appellate court will not decide any . . . issue unless it plainly appears by the record to have been raised in or decided by the trial court, but the Court may decide such an issue if necessary or desirable to guide the trial court or to avoid the expense and delay of another appeal”), the Supreme Court of Maryland has emphasized that appellate courts should “rarely exercise” that discretion, because “considerations of both fairness and judicial efficiency ordinarily require that all challenges that a party desires to make to a trial court’s ruling, action, or conduct be presented in the first instance to the trial court[.]” *Ray v. State*, 435 Md. 1, 23 (2013) (internal citation omitted). Therefore, plain error review “is reserved for those errors that are compelling, extraordinary, exceptional[,], or fundamental to assure the defendant of a fair trial.” *Savoy v. State*, 218 Md. App. 130, 145 (2014) (internal citation and quotations omitted). Under the circumstances presented here, we decline to overlook the lack of preservation, and do not exercise our discretion to engage in plain error review. *See Morris v. State*, 153 Md. App. 480, 506-07 (2003) (noting that the words “[w]e decline to do so” are “all that need be said, for the exercise of our unfettered discretion in not taking notice of plain error requires neither justification nor explanation” (emphasis and footnote omitted)).

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