Circuit Court for Baltimore City
Case No. 122039003 & 122039005

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 871 & 987

September Term, 2024

ELLIOT MARCUS KNOX

v.

STATE OF MARYLAND

Graeff,
Kehoe, S.,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Kehoe, J.

Filed: April 8, 2026

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

Appellant, Elliot Marcus Knox ("Mr. Knox"), was charged in two separate cases for the first-degree murder of Baltimore City Police Officer Keona Holley ("Officer Holley") and the first-degree murder of Justin Johnson ("Mr. Johnson"), as well as related firearms offenses respectively. On January 16, 2024, pursuant to the State's Motion for Joint Trial of Offenses and after a hearing, the Circuit Court for Baltimore City joined the two cases for trial. The jury trial on the joined cases began on February 26, 2024 and consumed a total of seven days. On March 6, 2024, a jury convicted Mr. Knox of both murders and the related firearms offenses. Mr. Knox was sentenced to consecutive life sentences without the possibility of parole for each first-degree murder conviction. This timely appeal followed.

I. QUESTION PRESENTED

Mr. Knox presents one question for our review: Did the trial court err by granting the State's Motion for Joinder of Offenses from two separate cases into a single trial?[1] For the reasons stated herein, we answer the question presented in the negative and affirm the judgment of the Circuit Court for Baltimore City.

[1] The State presented the question for this Court's review as follows:

> Did the circuit court properly exercise its discretion in joining Mr. Knox's two homicide cases for trial, where the murders occurred within about 90 minutes of each other and were committed by the same two suspects who drove the same vehicle and used one gun in both crimes?

II. FACTUAL & PROCEDURAL BACKGROUND

A. Two Murders on December 16, 2021

On December 16, 2021, shortly after 1:30 a.m., Baltimore City Police Department officers responded to a call for service to the 4400 block of Pennington Avenue in Baltimore City. Upon arrival, officers found Officer Holley in the driver's seat of her patrol vehicle, unresponsive and suffering from multiple gunshot wounds. Officer Holley later died as a result of her injuries.

Six .40 caliber cartridge cases were recovered from the area around the patrol vehicle. Video footage from private cameras in the area was collected. The video footage revealed two individuals exiting a parked vehicle, identified as a Hyundai Genesis, and walking towards Pennington Avenue where Officer Holley's patrol vehicle was located. The two individuals disappeared from the view of the camera for a period of time and then reappear, running back to the vehicle on Fairhaven Avenue. They then fled from the area in the vehicle at approximately 1:20 a.m. Through a search of license plate readers in the area at that time, officers were able to identify the license plate of the vehicle, which was registered to Mr. Knox.

On that same morning, at approximately 3:09 a.m., officers responded to a call for service to the 600 block of Lucia Avenue in Baltimore City. Upon arrival, officers found Mr. Johnson in the driver's seat of his vehicle, unresponsive and suffering from multiple gunshot wounds. Mr. Johnson later died as a result of his injuries.

Two .40 caliber cartridge cases and one .223 caliber cartridge case were recovered from the area around the vehicle. A witness advised they heard the gunshots, and then observed two individual males traveling towards a vehicle parked nearby. The vehicle then fled the area. Two latent prints were recovered from the exterior of Mr. Johnson's vehicle and determined to belong to a Travon Shaw ("Mr. Shaw"). According to Mr. Johnson's mother, Mr. Shaw was a friend of Mr. Johnson. Mr. Johnson's mother also advised that Mr. Shaw came to her house on the day of the murder to check on Mr. Johnson, which she found strange as Mr. Shaw had never done that before.

Later that same day, detectives located the Hyundai Genesis and identified Mr. Knox as the driver. Mr. Knox was arrested and interviewed. He admitted to being present at the shooting of Officer Holley, along with Mr. Shaw. Mr. Knox advised that it was Mr. Shaw who fired the shots into Officer Holley's patrol vehicle. Mr. Shaw was also responsible for the murder of Mr. Johnson, according to Mr. Knox. He further advised that after the first shooting, he and Mr. Shaw were in the area of Lucia Avenue, when Mr. Shaw stated that Mr. Johnson owed him money and that he wanted to confront him. Mr. Knox continued to say that Mr. Shaw fired shots into Mr. Johnson's vehicle, using two separate guns. Mr. Knox then transported both firearms to his residence at 2506 Camberwell Court.

A search and seizure warrant execution at 2506 Camberwell Court uncovered a Glock 22, a .40 caliber handgun ("Glock"), with 11 live rounds and an Extar EXP-556, a .223 caliber pistol ("Extar"), with 52 live rounds. Later ballistics analysis showed that the Glock recovered from Camberwell Court was the same firearm used in the murder of both

Officer Holley and Mr. Johnson, and that the Extar was the second firearm used in the murder of Mr. Johnson. A search and seizure warrant executed on Mr. Shaw's residence uncovered a camouflage jacket that matched the jacket worn by one of the suspects captured on video footage during the murder of Officer Holley.

Officers obtained historical cell site location information ("CSLI") for the cell phones of Mr. Knox and Mr. Shaw, which showed that both of their cell phones were in the areas of the two murders at the times in which they occurred.

Mr. Knox was charged in two separate cases for the first-degree murder of Officer Holley and the first-degree murder of Mr. Johnson, as well as related firearms offenses respectively.

B. Motion for Joint Trial of Offenses

The State filed a Motion for Joint Trial of Offenses in Circuit Court for Baltimore City and a hearing on the motion was held on January 16, 2024. The arguments the parties made at the motions hearing are the same arguments they make now before this Court, which we discuss *infra*. *See* Section III. The circuit court granted the State's motion to join the two murder cases for trial and explained its rationale as follows:

> Having heard both the State and the Defense's argument, having read the State's motion in this case, the Court, for the purposes of the [*State v.*] *Faulkner*[, 314 Md. 630 (1989)] case, finds as a matter of fact that there is evidence of identity that could be introduced in both of these cases that would make for judicial economy if in fact the cases were tried together.
>
> Again, the Defendant's knowledge of the location of the murders, his statements as to how they were carried out, the -- very importantly in this Court's consideration, the fact that he led the police to the murder weapons that were used, that witnesses would testify were used in both cases.

> The Court finds that there is very, very probative and credible overlapping evidence that could be used in both cases. And, again, I'm still having difficulty understanding [defense counsel's] argument that trying him together makes it more likely -- gives the State an argument that he's more likely a principal than not.
>
> Quite frankly, I think it's the other way around. The argument is "Look, he was in both cases. He confessed to the police because he wasn't the principal in both cases."
>
> So, respectfully, having considered the motion, I believe that the State's Motion for a Joint Trial should be granted and I, therefore, do grant that motion.

The jury trial on the joined cases began on February 26, 2024 and lasted seven days. On March 6, 2024, a jury convicted Mr. Knox of both murders and the related firearms offenses. Mr. Knox was sentenced to consecutive life sentences without the possibility of parole for each first-degree murder conviction. He now appeals the circuit court's ruling which granted the State's motion to join the two murder cases for trial.

Additional facts will be included in the discussion as they become relevant.

III. DISCUSSION

This Court concludes that the evidence in each murder case was mutually admissible under the identity exception to the exclusionary rule against evidence of other crimes. Moreover, the murders were so closely connected in time and circumstance that proving one necessarily involved proving the other, and the evidence served a purpose beyond showing criminal propensity. Given these connections and the mutually admissibility of evidence, the judicial interests supporting joinder outweighed any claim of undue

prejudice. As such, we further conclude that the trial court did not err or abuse its discretion in joining the two murder cases for trial.

A. Parties' Contentions

Mr. Knox argues that the trial court erred in granting the State's motion to join two distinct criminal cases against him, because the evidence pertaining to the case involving the murder of Officer Holley was not mutually admissible with the evidence involving the murder of Mr. Johnson. Mr. Knox claims that his identity as an individual present at both murders was not at issue, and thus does not qualify as an exception to the prohibition against evidence of "other crimes."[2] Furthermore, the potential for unfair prejudice outweighed the interest of judicial economy. Consequently, Mr. Knox asks this Court to reverse the judgment of the Circuit Court for Baltimore City.

The State counterargues that the trial court properly exercised its discretion in joining Mr. Knox's two murder trials where the murders occurred within about 90 minutes of each other and were committed by the same two suspects who drove the same vehicle and used one gun in both crimes. The State contends that the trial court properly concluded that the evidence would be mutually admissible as to both cases, because the identity of Mr. Knox as a principal in both murders was at issue, the two suspects engaged in a common scheme or plan in the commission of the two murders, and the two murders were

[2] "Evidence of other crimes, wrongs, or acts, [. . .] is not admissible to prove the character of a person in order to show action in the conformity therewith. Such evidence, however, may be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, common scheme or plan, knowledge, identity, absence of mistake or accident, or in conformity with Rule 5-413." Md. Rule 5-404(b).

closely linked in time. Moreover, the trial court properly exercised its discretion in concluding that Mr. Knox was not unduly prejudiced by joining the cases. As such, the State asks this Court to affirm the judgment of the Circuit Court for Baltimore City.

B. Maryland Rule 4-253: Joint or Separate Trials

"Joinder" means the "uniting of parties or claims in a single lawsuit." *Joinder*, BLACK'S LAW DICTIONARY (12th ed. 2024). The joinder of trials in criminal cases is governed by Maryland Rule 4-253, which reads, in pertinent part:

> (b) Joint Trial of Offenses. If a defendant has been charged in two or more charging documents, either party may move for a joint trial of the charges. In ruling on the motion, the court may inquire into the ability of either party to proceed at a joint trial.
>
> (c) Prejudicial Joinder. If it appears that any party will be prejudiced by the joinder for trial of counts, charging documents, or defendants, the court may, on its own initiative or on motion of any party, order separate trials of counts, charging documents, or defendants, or grant any other relief as justice requires.

Md. Rule 4-253. The purpose of this rule is to promote judicial economy.[3] *See State v. Hines*, 450 Md. 352, 368 (2016).

In determining whether to join offenses for trial, the court must consider: (1) "whether evidence as to each of the accused's individual offenses would be 'mutually admissible' at separate trials concerning the offenses[;]" and (2) "whether the interest in judicial economy outweighs any other arguments favoring severance[.]" *Hart v. State*, 260

[3] Judicial economy is the "[e]fficiency in the operation of the courts and the judicial system; [] the efficient management of litigation so as to minimize duplication of effort and to avoid wasting the judiciary's time and resources." *Judicial Economy*, BLACK'S LAW DICTIONARY (12th ed. 2024).

Md. App. 491, 526–27 (2024) (quoting *Cortez v. State*, 220 Md. App. 688, 694 (2014)). The two considerations require different standards of review. Determining whether evidence would be "mutually admissible" is a legal determination, which we review de novo "without deference to the trial court." *Id.* at 527. However, the balancing of judicial interests is reviewed for an abuse of discretion. *Id.*

"Mutual admissibility means that evidence of each crime would be admissible in a trial for the other." *Id.* (quoting *Bussie v. State*, 115 Md. App. 324, 333 (1997)) (internal quotation marks omitted). To assess whether evidence would be mutually admissible, the trial court "conducts the same analysis that it would conduct in determining whether evidence of other crimes or wrongs would be admissible under Rule 5-404(b)." *Id.* Maryland Rule 5-404(b) states:

> Evidence of other crimes, wrongs, or acts, including delinquent acts as defined in Code, Courts Article § 3-8A-01, is not admissible to prove the character of a person in order to show action in the conformity therewith. Such evidence, however, may be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, common scheme or plan, knowledge, identity, absence of mistake or accident, or in conformity with Rule 5-413.

Md. Rule 5-404(b). The purpose of the "other crimes" exclusionary rule is "to prevent prejudice to defendants." *Hines*, 450 Md. at 371 (quoting *McKnight v. State*, 280 Md. 604, 611 (1977)). Evidence of other crimes, wrongs, or acts is "*not* admissible to suggest that, because a person is of a particular character, they are more likely to have committed the crime they are on trial for[,]" however, such "evidence *is* admissible for 'other purposes.'"

Jordan v. State, 268 Md. App. 432, 450 (2026) (quoting *Crawford v. State*, 265 Md. App. 374, 393–94 (2025)) (emphasis included in original).

The list of exceptions to Rule 5-404(b) is not exclusive.[4] *Cortez*, 220 Md. App. at 694. Essentially, any evidence "of special relevance, other than proving a mere propensity to commit crime," may qualify as an exception to the exclusionary rule against "other crimes." *See Galloway v. State*, 371 Md. 379, 396 (2002); *see also State v. Faulkner*, 314 Md. 630, 634 (1989) (Evidence of other crimes may be admissible if "it is substantially relevant to some contested issue in the case and if it is not offered to prove the defendant's guilt based on a propensity to commit crime or [their] character as a criminal.").

Evidence that is not mutually admissible to each offense is "per se prejudicial in the context of a jury trial[.]" *Hines*, 450 Md. at 373 (citing *McKnight*, 280 Md. at 610). Moreover, where "the evidence as to each individual offense would not be mutually admissible at separate trials[,]" severance of the offenses is mandated as a matter of law. *McKnight*, 280 Md. at 612. Consequently, if the evidence is not mutually admissible, the

[4] Other recognized exceptions include:

> 6. When several offenses are so connected in point of time or circumstances that one cannot be fully shown without proving the other.
>
> 7. Where the "other crime" tends to show a passion or propensity for illicit sexual relations with the particular person concerned in the crime on trial.
>
> 8. Prior criminal conduct . . . may be admitted . . . to show consciousness of guilt.
>
> 9. Other like crimes by the accused so nearly identical in method as to earmark them as the handiwork of the accused. . . .

Oesby v. State, 142 Md. App. 144, 161 (2002) (internal citations and quotation marks omitted).

court need not address the second consideration of balancing such prejudice against the interests of judicial economy. *Conyers v. State*, 345 Md. 525, 553 (1997).

Alternatively, where the evidence as to each offense is mutually admissible, the accused "will not suffer any additional prejudice if the two charges are tried together." *McKnight*, 280 Md. at 610. In such case, the court then considers the second factor—weighing any undue "prejudice against the accused in trying the charges together against the considerations of judicial economy and efficiency, including the time and resources of both the court and the witnesses." *Cortez*, 220 Md. App. at 694 (citing *Frazier v. State*, 318 Md. 597, 608 (1990)). "[A]ny judicial economy that may be had will usually suffice to permit joinder unless other non-evidentiary factors weigh against joinder." *Hart*, 260 Md. App. at 531 (quoting *Cortez*, 220 Md. App. at 694–95).

C. Analysis

1. Identity

The trial court here found "as a matter of fact[,] that there is evidence of identity that could be introduced in both of these cases that would make for judicial economy if in fact the cases were tried together." Proof of identity is one of the exceptions to the rule excluding evidence of other crimes. *See* Md. Rule 5-404(b). However, Mr. Knox argues that identity was not at issue here because he admitted to being present for both murders, and thus, such evidence is not admissible under the identity exception. The State contends that the identity of Mr. Knox as a *principal* in both murders was at issue and evidence proving such is admissible under the identity exception.

In *Henry v. State*, the trial court found that "evidence that [Mr.] Henry possessed a gun similar to that used in a prior crime fell within the 'identity' exception to Rule 5-404(b)." 184 Md. App. 146, 168 (2009). On appeal, Mr. Henry argued that the identity exception was not applicable because the identity of the gunman was not at issue, as he intended to argue self-defense at trial.[5] Brief for Appellant, *Clarence Henry v. State of Maryland*, No. 946, Sept. Term 2007, 2008 WL 4125698, at *18. This Court noted that Mr. Henry never took the stand during the trial to argue self-defense and thus "[c]ontrary to [Mr.] Henry's contention, identity was at issue in this case because [Mr.] Henry never conceded that he was the shooter." *Henry*, 184 Md. App. at 168. We held that the trial court properly exercised its discretion in admitting the evidence in question. *Id.* at 169. Likewise, here, identity is still at issue, despite Mr. Knox's admitting his presence at both murders, because Mr. Knox "never conceded that he was the shooter" in either of the murders. Moreover, we highlight the State's argument that there were no stipulations at trial as to Mr. Knox's presence at both murders.

[5] Mr. Henry, in his Appellant Brief, continued to argue that:

> In opening statement, defense counsel conceded that Mr. Henry "went and got a gun and came back." He also acknowledged that Mr. Henry fired the bullets that killed Deana Bell and William Curry. Defense counsel argued that the killings in this case were not "premeditated, deliberative, first degree murder[s]." Defense counsel never argued that Mr. Henry was not the shooter.

Brief for Appellant, *Clarence Henry v. State of Maryland*, No. 946, Sept. Term 2007, 2008 WL 4125698, at *18. (record references omitted).

Considering that the identity of the shooter is still at issue here, we next assess whether the trial court erred in finding that "there is evidence of identity that could be introduced in both of these cases[.]" In the definitive opinion on the admissibility of "other crimes" evidence, *State v. Faulkner*, our Supreme Court recognized that evidence may be admissible under the identity exception, if such evidence proved: "the defendant's presence at the scene or in the locality of the crime on trial;" the defendant's "identity through a ballistics test;" "that the defendant had on another occasion used [. . .] the same confederate as was used by the perpetrator of the present crime;" or "that on another occasion the defendant was [. . .] using certain objects used by the perpetrator of the crime at the time it was committed[.]"[6] 314 Md. at 637–38. In other words, such evidence would be mutually admissible in both cases.

Here, Mr. Knox's cell phone records and his statements to police place him at the scene of each crime. Ballistic testing of the guns recovered from Mr. Knox's residence matched the bullet shell casings found at the crime scenes and revealed that one of those guns was used to perpetrate both murders. *See Simms v. State*, 39 Md. App. 658, 665–66 (1978) (holding that the ballistics evidence showing that the same gun—possessed by appellant—was used in both the shooting of Savage and the killing of Tynes supports the inference that appellant committed both crimes, making the Savage assault evidence highly probative and admissible to establish identity in the Tynes killing). Mr. Knox was with his

[6] While the Court listed other examples in *Faulkner*, only these are relevant to the case *sub judice*. *See Faulkner*, 314 Md. at 637–38.

confederate, Mr. Shaw, during both murders. Mr. Knox's vehicle, as captured on video camera, was used to transport the suspects to and from each murder. *See Hamright v. State*, 142 Md. App. 17, 34–36 (2001) (holding that the evidence of two Royal Farms robberies was properly admitted because it strongly suggested the same three people committed the carjacking, subsequent kidnapping, and later robberies using the same carjacked vehicle). Taken together, these pieces of evidence help to establish that the same individual—Mr. Knox—was responsible for both murders.

The facts here are similar to those in *Solomon v. State*, in that both cases involve the same crime committed multiple times within a short period of time in roughly the same area perpetrated by the same individuals. 101 Md. App. 331, 333–34 (1994). The facts in *Solomon* involved "one consummated carjacking and two attempted carjackings, all of which occurred within a tight geographic radius in the southern corner of Howard County and within the narrow time frame of between fifteen and twenty-five minutes on the morning of September 8, 1992." *Id.* Solomon was convicted of first-degree murder, robbery, and kidnapping of Pam Basu, kidnapping of one-year old Sarina Basu, robbery of Grace Lagana, and assault with intent to rob Laura Ann Becraft. *Id.* at 333. On appeal, Solomon challenged the trial court's denial of his motion for separate trials with respect to each of the three adult victims. *Id.* at 334.

Like in the present case, identity and criminal agency was at issue in *Solomon*. On such issue, this Court held in *Solomon* that:

> The proof of identity or criminal agency with respect to each of the three episodes helped to solidify the proof of identity or criminal agency with

> respect to both of the other two. The unities of time and place among the three assaults helped to establish the identity of the perpetrators, as did the similarities of purpose and of modality. It was clear that the perpetrators of any one of the assaults were also the perpetrators of the other two.

Id. at 370–71. Similarly, here, where two murders occurred within 90 minutes of each other in the same city, perpetrated by the same two individuals using the same vehicle and at least one of the same guns, the overlapping unities establish that the proof of identity and criminal agency in one of the murders helps to prove the identity and criminal agency in the other murder. In *Solomon*, we concluded that the "evidence helping to prove identity from each crime to the next was relevant and, therefore, mutually admissible." *Id.* at 374. We conclude similarly here and, therefore, determine that the trial court did not err in finding that the evidence was mutually admissible as to both murders, based on the identity exception to the exclusionary rule.

2. Level of Participation

Furthermore, this Court in *Solomon* recognized the proof of "level of participation" as an exception to the exclusionary rule. *Id.* at 377–78. In *Solomon*, because appellant was facing the possibility of capital punishment, the State had to prove that appellant was the principal in the first-degree murder of Ms. Basu. *Id.* Evidence of the other two incidents helped to "establish the appellant as the dominant figure, the spokesman, the ring leader, or the senior partner of the criminal twosome." *Id.* at 378. We acknowledged that any evidence that helped prove Solomon was the principal was "of critical importance to the State" and thus admissible. *Id.*

Likewise, the State here argues that "[e]stablishing Mr. Knox's identity as an active participant in the crimes, not merely a passive observer, was key to the State's case." In other words, the State needed to prove Mr. Knox's level of participation as a principal in the murders. This is particularly so given Mr. Knox's statements to police that, although he was present during the murders, he was not the shooter. Evidence that the suspects drove to and from both crime scenes in Mr. Knox's vehicle and that Mr. Knox stored both guns at his residence thereafter, demonstrates that he was not "merely a passive observer" in either murder. Similar to Solomon, Mr. Knox had some dominion over the crimes. Additionally, the State argued at trial that the video evidence from the Pennington Avenue murder proves it was Mr. Knox, rather than Mr. Shaw, who shot Officer Holley.[7] Such evidence discredits Mr. Knox's statement to police that he was unaware that the second murder was going to take place or that Mr. Shaw, using both guns, was the sole shooter in

[7] In closing argument, the State explained to the jury:

> Watch the video. You see Mr. Shaw go up on the hill and post up. Now, granted, we wish we had the full video. We have what we have, but he goes up on the hill and stops, whereas Mr. Knox keeps walking out of camera view, walking towards Officer Holley. But it's not in that clip. It's the second clip as well when they're -- he is running way behind Mr. Shaw. Way behind. It matches up the fact that Mr. Knox was the shooter of Holley, matches up with the math.
>
> Remember, it's only a few seconds where this could have happened. Only about 15 seconds for the shooter to fire six rounds. Remember where the casings fell. They fell right next to where her car was parked. You still have to traverse across the parking lot, up the hill and then get to the spot where the video picks you back up on Hazel [Street].
>
> There's no way that Shaw could have done this. Only Knox had the time to do that.

the Lucia Avenue murder. Therefore, proof of level of participation in one of the murders helps to prove the level of participation in the other murder.

3. Intrinsic Evidence

As an alternative rationale for admissibility, the State argues that the two murders are so connected in point in time or circumstance that one cannot be proven without proving the other. This Court recently explained in *Jordan v. State* that Rule 5-404(b), excluding evidence of other crimes, does

> not apply to evidence of crimes (or other bad acts or wrongs) that arise during the same transaction and are intrinsic to the charged crime or crimes. "Intrinsic" means, at a minimum, other crimes that are so connected or blended in point of time or circumstances with the crime or crimes charged that they form a single transaction, and the crime or crimes charged cannot be fully shown or explained without evidence of the other crimes.

268 Md. App. at 451–52 (quoting *Odum v. State*, 412 Md. 593, 611 (2010)) (internal citation and quotation marks omitted).

The intrinsic evidence exception, which is not to be confused with the common scheme or plan exception, contemplates a connection that is "more narrative than functional." *Emory v. State*, 101 Md. App. 585, 615 (1994). The common scheme exception suggests that the crimes have a "cause-and-effect relationship" in that there is "a functional or progressive connection as one crime triggers or [] sets the stage for the next." *Id.* Whereas the intrinsic evidence exception posits that the "unities of time, space, and circumstance make it difficult to fragment too finely the narrative of a criminal episode even when there is no necessary cause-and-effect relationship between its parts." *Id.*

Here, the murders together serve to provide a narrative of the events that occurred in the early morning hours of December 16, 2021. The murders were connected in time, place, and circumstance, occurring within about 90 minutes of each other within Baltimore City. Cell phone data suggests that Mr. Knox and Mr. Shaw met up prior to the first murder, that they were together at the crime scenes during the time of the murders and during the 90 minutes in between the murders, and that they separated after the second murder. Video footage shows Mr. Knox's vehicle at the first murder scene and then fleeing in the direction of the second murder scene. After the murders, Mr. Knox stored both guns at his residence, where detectives ultimately discovered them. The murders were investigated together, and detectives questioned Mr. Knox in relation to both murders interchangeably.

In *Green v. State*, appellant was charged with the armed robbery of a Texaco gas station in Glenn Burnie on June 8, 1988 at approximately 9:25 p.m. and with the armed robbery of another Texaco gas station in Ferndale that occurred 25 minutes before the Glen Burnie robbery. 81 Md. App. 747, 749 (1990). Analogous to the case *sub judice*, there was a seamless sequence of events connecting the two robberies. In *Green*, a customer at the Ferndale station recorded the getaway car's license plate number, which was broadcast to police. *Id.* at 750. That same vehicle, matching both the Ferndale and Glen Burnie descriptions, was stopped by an officer near the Glen Burnie station just minutes after the second robbery. *Id.* at 750–51. Green was arrested in that car, and both robbery victims were brought to the scene shortly thereafter, each identifying Green as the perpetrator. *Id.*

In a consolidated trial, the jury convicted Green of the two robberies. *Id.* While Green did not challenge the consolidation of the two robberies for trial on appeal, this Court, through Hon. Charles E. Moylan, Jr., noted that the consolidation was "eminently proper[.]" *Id.* at 751. Judge Moylan explained that the "episodes were so intertwined that proof of involvement in either would have been admissible to help prove criminal agency with respect to the other[,]" and that they "were reciprocally relevant for purposes other than the showing of mere criminal propensity." *Id.* We conclude similarly here that the two murders were so connected in point in time or circumstance that one cannot be proven without proving the other and that each is relevant to the other for purposes other than showing mere criminal propensity.

The State argues, in addition, that the evidence is mutually admissible in both cases because the two suspects engaged in a common scheme or plan in the commission of the two murders. *See generally Reidnauer v. State*, 133 Md. App. 311, 321–22 (2000) (explaining that crimes committed together may be admissible to show a continuing plan or common scheme). However, because we conclude that the evidence is mutually admissible under the identity exception, and because the crimes are so connected in point of time or circumstances that one cannot be proven without proving the other, we need not address the common scheme argument.[8]

[8] Indeed, the trial court found that the evidence was mutually admissible under the identity exception alone, without addressing the State's additional arguments for admissibility.

4. Undue Prejudice vs. Judicial Economy

Upon concluding that the evidence is mutually admissible, we next address the second consideration of balancing the potential undue prejudice against the interests of judicial economy. *See Conyers*, 345 Md. at 553. Mr. Knox argues that the trial court erred in joining the two murder cases for trial because the potential for unfair prejudice outweighed the interest of judicial economy. "Prejudice" in this context "means damage from inadmissible evidence, not damage from admissible evidence." *Hart*, 260 Md. App. at 531 (quoting *Solomon*, 101 Md. App. at 349) (internal quotation marks omitted). As we have already determined that the evidence in each murder case is admissible in the other, Mr. Knox "will not suffer any additional prejudice if the two charges are tried together." *See McKnight*, 280 Md. at 610. Consequently, "any judicial economy that may be had will usually suffice to permit joinder unless other non-evidentiary factors weigh against joinder." *See Hart*, 260 Md. App. at 531 (quoting *Cortez*, 220 Md. App. at 694–95).

We agree with the State that the interests in judicial economy are strong here in that there is significant evidence that overlaps and at least eight of the State's witnesses would be the same in both cases, notably:

> the police sergeant who took Mr. Knox into custody; the detective who recovered both weapons used in the killings pursuant to a search warrant; the detective who interrogated Mr. Knox as to both crimes; the medical examiner who oversaw both autopsies; the ballistics expert who reviewed evidence in both killings; the forensic expert who reviewed DNA connected to both killings; and the FBI agent who conducted a historical cell phone analysis on the phones belonging to Mr. Knox and Mr. Shaw.

Accordingly, these judicial interests suffice to permit joinder in the absence of "other non-evidentiary factors weigh against joinder." *See id.* In balancing undue prejudice and judicial interests, we will only reverse the trial court's decision if there was a clear abuse of discretion. *Id.* at 527 (quoting *Cortez*, 220 Md. App. at 694). We conclude that the trial court here did not abuse its discretion.

IV. CONCLUSION

In concluding that evidence from each murder case is mutually admissible in the other case, and that any undue prejudice does not outweigh the interests of judicial economy, we hold that the trial court did not err in joining the two murder cases for trial. As such, we affirm the judgment of the Circuit Court for Baltimore City.

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