

Circuit Court for Montgomery County
Case No. C-15-CR-24-000164

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1871

September Term, 2024

BRUNO D. FERREIRO-DIAZ

v.

STATE OF MARYLAND

Berger,
Shaw,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Berger, J.

Filed: July 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 its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This case arises following the conviction of appellant, Bruno Ferreiro-Diaz (“Ferreiro-Diaz”) in the Circuit Court for Montgomery County for second-degree assault and false imprisonment. Ferreiro-Diaz was sentenced to 18 months, all but 260 days suspended, for second-degree assault, and 18 months, all but 260 days suspended, for false imprisonment. The sentences were to run concurrently. Ferreiro-Diaz was also placed on one year of unsupervised probation. This appeal followed.

QUESTIONS PRESENTED

Ferreiro-Diaz presents two questions for our review, which we have slightly rephrased as follows:¹

- I. Whether the circuit court erred when it declined to ask one of Ferreiro-Diaz’s proposed *voir dire* questions.
- II. Whether the evidence presented at trial was insufficient to sustain the false imprisonment conviction.

For the following reasons, we affirm.

BACKGROUND

Ferreiro-Diaz and Ana Castaneda-Medrano (“Castaneda-Medrano”), the victim in this case, were formerly married and divorced in September 2023. They share one minor

¹ Ferreiro-Diaz phrased the questions as follows:

1. Did the trial court err by refusing to ask a proposed *voir dire* question which inquired as to whether prospective bilingual jurors would rely on the court interpreter’s translation of testimony?
2. Is the evidence insufficient to sustain the conviction for false imprisonment?

child and, at the time of the incident giving rise to this case, they continued to work together at a spa in Rockville. The following facts were adduced at trial.

On the night of December 31, 2023, Castaneda-Medrano hosted a New Year's Eve party at her home in Rockville. The party was attended by twelve people, mostly Castaneda-Medrano's family members. Ferreiro-Diaz was also invited, and he spent the night at Castaneda-Medrano's home. In the early morning hours of January 1, 2024, Ferreiro-Diaz became "furious" and accused Castaneda-Medrano of working for someone else. Ferreiro-Diaz then retrieved a gun from his jacket in the living room. Ferreiro-Diaz loaded the gun and confronted Castaneda-Medrano, telling her "tell me the truth, otherwise I will make a disgrace in the family," and that "a tragedy will happen" if she did not tell the truth. Castaneda-Medrano knelt on the ground before Ferreiro-Diaz, swore that she was telling him the truth, and pleaded with him to calm down. At some point during the encounter, Ferreiro-Diaz removed something from the gun. The encounter lasted three to five minutes. Castaneda-Medrano testified that she took Ferreiro-Diaz's statements to mean that he would harm her and her family, and that she was scared. Following the incident, Ferreiro-Diaz calmed down and went to sleep.

Castaneda-Medrano testified that she had previously installed security cameras at her home due to prior safety concerns involving Ferreiro-Diaz. The cameras were offline at the time of the incident due to a lapsed subscription. Even so, Ferreiro-Diaz had moved the security cameras prior to the incident.

Later that morning, Ferreiro-Diaz argued with Castaneda-Medrano's family, prompting Castaneda-Medrano's brother to leave the home due to the conflict. Castaneda-

Medrano remained at her home with her four children, her mother, and Ferreiro-Diaz. Castaneda-Medrano testified that she remained fearful due to Ferreiro-Diaz's earlier threat to harm her and her family and was worried for their safety. Ferreiro-Diaz took Castaneda-Medrano's cell phone and computer around 10:00 a.m. and kept them from her until the evening. Castaneda-Medrano testified that she "let" Ferreiro-Diaz take the cell phone and computer because she did not want further problems. Castaneda-Medrano and several family members went ice skating in Rockville the evening of January 1, 2024. Ferreiro-Diaz accompanied them, telling Castaneda-Medrano, "if you go, I go, if you don't go, I don't go." Castaneda-Medrano testified that she remained afraid of Ferreiro-Diaz during the outing.

The following day, January 2, 2024, Ferreiro-Diaz told Castaneda-Medrano that she was "obligated to go to work with him" at the spa where they worked together. Castaneda-Medrano testified: "I feel like I have to do it because he told me that either way . . . I must go with him for good or for bad." Castaneda-Medrano testified that she remained fearful of Ferreiro-Diaz but believed that going to work with him would keep her family safe. Castaneda-Medrano remained with Ferreiro-Diaz at work from approximately 12:00 p.m. to 6:00 p.m. Immediately after finishing work, Castaneda-Medrano pretended to go to the bathroom, "took [her] car" and "ran away." Castaneda-Medrano picked up her mother and children from her home and went to the police station.

Ferreiro-Diaz was charged with first-degree and second-degree assault, use of a firearm in the commission of a crime of violence, and false imprisonment. The trial

commenced on September 23, 2024. Prior to *voir dire*, Ferreiro-Diaz proposed the following question be asked pertaining to bilingual jurors:

Some testimony during this trial may be spoken in Spanish and translated to the jury by a Court-certified interpreter. Is there any member of the potential jury panel who would rely on their own interpretation or understanding of the Spanish response, over that of the response as translated by the interpreter?

After *voir dire* was conducted by the trial court, Ferreiro-Diaz requested that the question be asked. The State did not object. The court declined to ask the question, and instead imposed a particular procedure to be followed in the event that the issue presented by the question occurred. The court asked if the jurors could follow this procedure:

I want the State and defense to watch this carefully. [The question at issue is] not going to be given as is, not in any shape or fashion. Occasionally, we'll have a juror or jurors that speaks Spanish. Sometimes, a lot of attorneys that speak Spanish. And sometimes, you'll be hearing the -- the Spanish interpreters will be interpreting the answer into English. And if, in fact, you believe that the answer that was given is contrary to what the witness said, I'm going to ask that you raise your hand and then write a note, and we'll bring it to my attention, and we'll take it at the bench.

That may not happen. It generally doesn't. But let's say, for example, somebody said it was raining, and the interpreter said the witness said it was sunny. I'm using an example that I don't think would ever happen. But then, what I would ask that you do is bring it to our attention by raising your hand and writing a note, and we'll deal with it up here, as opposed to you going back to the jury room and say, the interpreter said it was sunny, but the answer was really rainy or vice versa. Anybody have any problem doing that if you're on the jury? Okay.

None of the prospective jurors indicated that they would not follow this procedure.

Ferreiro-Diaz noted appreciation for the court's procedure but nevertheless objected to the court's decision not to ask the particular question he proposed. The circuit court responded, stating:

Yes, I'm not going to [give] it. I think that is it. It's been going around a lot, and I've been taking a hammer to it every time I see it. So I actually basically stamping it out. That is the -- I don't know who came up with that? Think about it. So you hear the interpreter say one thing, you know, it's different. So you go with what the interpreter, it's humanly impossible.

But you can object and if you, I would really appreciate it. I hope you don't have to appeal if you win, (unintelligible). I will let you [know], the Court did say that's dealing with the laws, and that's the law now. But you go with what's interpreted rather than what you think it is and what goes.

I think my solution has worked out in other cases too because I've had attorneys and Mr. Ferreiro and a couple things came up and he came up to the bench, we cleared the jury and we got it squared away. And so that's the way I'm going to operate. The same with the jurors. I'm just going to tell them to disregard or disregard that they know to be the case. And one juror teaches Spanish, came from Spain and came here a couple of years ago, and they kind of said to themselves well reverse it. If you're in Spain and you hear something interpreted in English, it's what I -- but your objection is duly noted.

The State then presented its case, largely through the testimony of Castaneda-Medrano. At the conclusion of the presentation of the evidence, Ferreiro-Diaz made a motion for judgment of acquittal as to the charge of false imprisonment. Ferreiro-Diaz alleged that the facts, as presented by Castaneda-Medrano, did not support a conclusion that Castaneda-Medrano was confined against her will. The circuit court denied the motion. The jury convicted Ferreiro-Diaz of second-degree assault and false imprisonment and

acquitted on first-degree assault and use of a firearm during the commission of a crime of violence. Ferreiro-Diaz was sentenced to two concurrent terms of 18 months, all but 260 days suspended, for both the second-degree assault and false imprisonment. He was also placed on unsupervised probation for a year. This appeal followed.

STANDARD OF REVIEW

“An appellate court reviews for abuse of discretion a trial court’s decision as to whether to ask a *voir dire* question.” *Pearson v. State*, 437 Md. 350, 356 (2014); *see also* *Washington v. State*, 425 Md. 206, 314 (2012) (“It appears to be the universal rule that on appellate review, the exercise of discretion by trial judges with respect to the particular questions to ask and areas to cover in *voir dire* is entitled to considerable deference.”). “In the end, ‘[t]he standard for evaluating a court’s exercise of discretion during the *voir dire* is whether the questions posed and the procedures employed have created a reasonable assurance that prejudice would be discovered if present.’” *Collins v. State*, 452 Md. 614, 623-24 (2017) (quoting *White v. State*, 374 Md. 232, 242 (2003)).

“The standard for appellate review of evidentiary sufficiency is 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.” *State v. Smith*, 374 Md. 527, 533 (2003). “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.” *Id.* at 534 (cleaned up). “We do not re-weigh the evidence, but ‘we do determine whether the verdict was supported by sufficient evidence, direct or circumstantial, which could convince a rational trier of fact of the defendant’s

guilt of the offenses charged beyond a reasonable doubt.” *Id.* (quoting *White v. State*, 363 Md. 150, 162 (2001)).

DISCUSSION

I. The circuit court did not err when it declined to issue Ferreiro-Diaz’s proposed *voir dire* question regarding bilingual jurors.

Ferreiro-Diaz first contends that the circuit court erred by refusing to propound his proposed *voir dire* question which inquired whether any prospective bilingual jurors would rely on their own understanding of the provided witness testimony rather than the court interpreter’s translation of the response. Ferreiro-Diaz argues that the question was to ensure that any bilingual juror would “abide by the translation of the court-certified interpreter,” thereby deciding the case “solely on the evidence presented at trial.” Without such a question, Ferreiro-Diaz contends, his right to a fair trial was violated.

The State argues that Ferreiro-Diaz’s proposed *voir dire* question was adequately addressed through the court’s procedures which required a juror to raise his or her hand if the juror believed that testimony was mistranslated. The State further contends that because none of the jurors indicated to the court during the proceedings that any testimony was mistranslated, any error in declining to propound Ferreiro-Diaz’s question was harmless.

“Maryland applies ‘limited voir dire.’ That is, in Maryland, the sole purpose of *voir dire* ‘is to ensure a fair and impartial jury by determining the existence of [specific] cause for disqualification[.]’” *Pearson*, 437 Md. at 356 (internal citation omitted) (quoting *Washington*, 425 Md. at 312-13. Accordingly, “[o]n request, a trial court must ask a *voir*

dire question if and only if the *voir dire* question is ‘reasonably likely to reveal [specific] cause for disqualification[.]’” *Id.* at 357 (quoting *Moore v. State*, 412 Md. 635, 663 (2010)). The trial court, however, “need not ask a *voir dire* question that is ‘not directed at a specific [cause] for disqualification[or is] merely “fishing” for information to assist in the exercise of peremptory challenges[.]’” *Id.* (quoting *Washington*, 425 Md. at 315).

“There are two categories of specific cause for disqualification: (1) a statute disqualifies a prospective juror; or (2) a ‘collateral matter [is] reasonably liable to have undue influence over’ a prospective juror.” *Id.* (quoting *Washington*, 425 Md. at 313). “The latter category is comprised of ‘biases directly related to the crime, the witnesses, or the defendant[.]’” *Id.* (quoting *Washington*, 425 at 313). If, however, “a response to a requested *voir dire* question would not further the goal of *voir dire* and uncover bias among prospective members of the jury, it need not be asked and the court will not abuse its discretion in not doing so.” *Moore*, 412 Md. at 662. Furthermore, “[t]he court need not ordinarily ask a particular requested question if the matter is fairly covered by the questions the court puts to the prospective jurors.” *Mitchell v. State*, 488 Md. 1, 28 (2024) (citing *Burch v. State*, 346 Md. 253, 293 (1997)).

Noting that there is no Maryland case addressing *voir dire* questions identifying whether prospective jurors would rely on an interpreter’s translation of testimony or their own, Ferreiro-Diaz directs us to a decision from the Supreme Court of Delaware, *Diaz v. State*, which did address the *voir dire* process. In *Diaz*, the complaining witness and defendant both spoke Spanish, and an interpreter was present to translate testimony during

the trial. *Diaz v. State*, 743 A.2d 1166, 1169, 1171 (Delaware 1999). During *voir dire*, the following ensued with a prospective juror:

[PROSPECTIVE JUROR]: . . . English is my second language and sometimes I have difficulty understanding everything in English, so I don't want to make the wrong decision because of my English.

[THE COURT]: Okay. It sounds as though you are pretty good in English. The thing is, we expect to have an interpreter and if you are a juror, I can ask her to interpret in Spanish louder than she might ordinarily.

[PROSPECTIVE JUROR]: That would be good.

[THE COURT]: You will hear the witness. Some of the witnesses will testify in Spanish.

[PROSPECTIVE JUROR]: Okay.

[THE COURT]: Is that okay?

[PROSPECTIVE JUROR]: That's fine....

[THE COURT]: ... You're okay with that? You feel comfortable with that?

[PROSPECTIVE JUROR]: Yeah.

[THE COURT]: Okay.

[THE STATE]: Your Honor, can I clarify: Are you going to have [the official interpreter] translate for the jurors? Is that what you're suggesting? The English—

[THE COURT]: Actually, questions will be asked in English. Okay? Some witnesses might respond in Spanish and have that translated into English.

Do you follow me?

[PROSPECTIVE JUROR]: Yeah.

[THE COURT]: So that would be no problem for you, then, would it?

[PROSPECTIVE JUROR]: I understand a lot. Just with new words I would have a problem with that and, you know, I don't know the meaning of—you know, make decisions—a decision that I would be wrong because I didn't understand a word.

[THE COURT]: Well, if you were a juror and you let me know what words you don't understand—

[PROSPECTIVE JUROR]: Mm-hmmm.

[THE COURT]:—would that be helpful?

[PROSPECTIVE JUROR]: Okay. And it would be—

[THE COURT]: Because if there's something—if there's a word you don't understand and you were a juror, just raise your hand and we will take care of that.

[PROSPECTIVE JUROR]: Okay.

[THE COURT]: Is that okay?

[PROSPECTIVE JUROR]: That's fine.

[THE COURT]: Okay.

Id. 1170-71. This prospective juror was seated for the trial as Juror Number 6. *Id.* at 1171.

Diaz made two motions for a mistrial based on the subsequent conduct of Juror Number 6. *Id.* at 1177. First, Juror Number 6 “interjected out loud in open court” when she disagreed with a translation by the interpreter. *Id.* The trial court denied Diaz's motion for a mistrial, and the interpreter altered the translation to the translation proposed by Juror Number 6. *Id.* On the second day of trial, Juror Number 6 notified the trial court that “in [her] opinion, [the interpreter] was inaccurate in some of her translations of the witness

yesterday.” *Id.* at 1178. Juror Number 6 confirmed that she spoke with other jurors and “did mention that [she] thought one of the translations was not correct.” *Id.* Diaz again moved for a mistrial, which the trial court denied. *Id.* The court did not give any instructions to Juror Number 6 or the jury panel or inquire with other jurors regarding the comments of Juror Number 6. *Id.* at 1179.

The Supreme Court of Delaware held that the actions of Juror Number 6 amounted to her becoming “an unsworn, uncross-examined, and unqualified witness who presented inadmissible evidence of her own foreign language translation to the other jurors.” *Id.* at 1180. The Court noted that “there was no voir dire of Juror Number 6 regarding either her ability to base her judgment on the court interpreter’s translation of the foreign language testimony or Juror Number 6’s obligation not to discuss her own translation with the other jurors. Under the circumstances presented, the failure to conduct such voir dire constituted error.” *Id.* at 1177.

The present case is distinguishable from *Diaz*. There, the trial court’s inquiry with the Juror Number 6 was with regards to her possible difficulty understanding English, not whether she could rely on the court interpreter translation rather than her own understanding. *Id.* at 1171. The trial court specifically noted to Juror Number 6 that “You will hear the witness. Some of the witnesses will testify in Spanish,” and further clarified that “questions will be asked in English. Okay? Some witnesses might respond in Spanish and have that translated into English.” *Id.* The trial court’s failure to mention that there might be a difference in the translations or instruct Juror Number 6 that she must rely on

the interpreter’s translation rather than her own understanding and must refrain from discussing any perceived mistranslation with other jurors was error. *Id.*

In Ferreiro-Diaz’s case, rather than propounding a *voir dire* question inquiring whether prospective jurors could base their judgment only on the interpreter’s translation, disregard their own translation if different, and refrain from discussing any difference in translation with other jurors, the circuit court instead instructed the jurors to follow a specific procedure. The procedure required that if a bilingual juror believed that the court interpreter mistranslated evidence, the juror was to notify the court that there was a mistranslation, and the court would “deal with it up here” rather than allowing the juror to return to the jury room to discuss it with other jurors. Although it did not use the precise language requested by Ferreiro-Diaz, the instruction addressed the same underlying issue. Notably, the procedure used by the trial court notified the jurors that there is the possibility of mistranslation and instructed the jurors that any mistranslation should be made immediately aware to the court which would “deal with” the mistranslation. Indeed, the trial court’s handling of any mistranslation likely clarified what the correct translation was and instructed the jury to disregard any mistranslation.

Furthermore, prior to closing arguments, the circuit court instructed the jury repeatedly that it “must decide this case only on the evidence . . . that you and your fellow jurors heard in the courtroom,” that the “verdict must be based solely on the evidence presented,” which is “any testimony that you heard from the witness stand and any physical evidence or exhibits that were admitted into evidence.” As our Supreme Court has repeatedly held, “jurors are presumed to follow the court’s instructions.” *Carter v. State*,

366 Md. 574, 592 (2001). No juror made the circuit court aware of a mistranslation, and Ferreiro-Diaz has not made any contention that any juror did not follow these instructions.

As noted, the circuit court is only required to ask voir dire questions “reasonably likely to reveal specific cause for disqualification,” and “need not ordinarily ask a particular requested question if the matter is fairly covered by the questions the court puts to the prospective jurors.” *Mitchell*, 488 Md. at 17, 28. Accordingly, the circuit court did not abuse its discretion by declining to ask Ferreiro-Diaz’s proposed question and providing a specific procedure addressing the issue instead.

II. The evidence was sufficient to support Ferreiro-Diaz’s conviction for false imprisonment.

Ferreiro-Diaz further contends that the evidence presented to the jury was insufficient to sustain a conviction for false imprisonment. Ferreiro-Diaz contends that the evidence presented “cannot support a finding, beyond a reasonable doubt, that [Ferreiro-Diaz] confined or detained Ms. Castaneda-Medrano against her will by force or threat of force.” The State maintains that the testimony regarding Ferreiro-Diaz’s conduct in threatening Castaneda-Medrano with a firearm, continued presence at her home, outings, and work, and taking her cell phone and computer, was sufficient for the jury to find that Ferreiro-Diaz confined or detained Castaneda-Medrano against her will through force or threat of force.

“False imprisonment, a common law offense, is the unlawful detention of another person against his [or her] will.” *Jones-Harris v. State*, 179 Md. App. 72, 99 (2008) (internal quotations and citations omitted). “To obtain a conviction for false imprisonment,

the State [is] required to prove: (1) that appellant confined or detained [the victim]; (2) that [the victim] was confined or detained against her will; and (3) that the confinement or detention was accomplished by force, threat of force, or deception.” *Id.* As noted, we consider “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.” *Smith*, 374 Md. at 533. This same standard applies even when the evidence presented is circumstantial. *Handy v. State*, 175 Md. App. 538, 562 (2007). “[C]ircumstantial 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.” *Id.* (internal quotations and citations omitted).

Viewed in the light most favorable to the State, the jury was presented with sufficient evidence to convict Ferreiro-Diaz of false imprisonment. Castaneda-Medrano testified that on the morning of January 1, 2023, Ferreiro-Diaz brandished a firearm, accused Castaneda-Medrano about working for someone else and lying to him, and said that “a tragedy [would] happen” if she did not tell the truth. Castaneda-Medrano testified that she believed this was a threat against herself and her family and pleaded with him to calm down. Castaneda-Medrano testified that later in the morning, when Ferreiro-Diaz fought with members of her family, she remained fearful due to his earlier threat to harm them with violence. Ferreiro-Diaz took away Castaneda-Medrano’s cell phone and computer, remained with her and her family, insisted on joining them on the ice-skating outing, and then required her to attend work with him the following day. Castaneda-

Medrano testified that she remained fearful throughout her encounters with Ferreiro-Diaz and felt she “must go [to work] with him for good or for bad.”

Castaneda-Medrano testified that she remained with Ferreiro-Diaz until she finished work at 6:00 p.m. on January 2, 2024, when she pretended to go to the bathroom, “took [her] car” and “ran away,” picking up her mother and children and going to the police station. Castaneda-Medrano testified that this was her first opportunity to flee from Ferreiro-Diaz. Taken in the light most favorable to the State, Castaneda-Medrano’s testimony supports a rational inference that Castaneda-Medrano was confined or detained by Castaneda-Medrano against her will by threat of force. *Handy*, 175 Md. App. 562; *Jones-Harris*, 179 Md. App. at 99. Accordingly, the State presented sufficient evidence to sustain Ferreiro-Diaz’s conviction for false imprisonment.

CONCLUSION

The circuit court did not abuse its discretion in declining to propound Ferreiro-Diaz’s proposed question regarding bilingual jurors during *voir dire*. Furthermore, the jury was presented with sufficient evidence to support the conviction for false imprisonment. We, therefore, affirm.

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