

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2864

September Term, 2015

CHELTON HARLAND

v.

STATE OF MARYLAND

Krauser, C.J.,
Graeff,
Nazarian,

JJ.

PER CURIAM

Filed: December 13, 2016

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

Convicted of wearing, carrying, or transporting a handgun and possession of a regulated firearm by a prohibited person following a jury trial, in the Circuit Court for Baltimore City, Chelton Harland, appellant, filed this appeal raising a single issue: Whether the trial court erred in refusing to ask, during voir dire, if any of the prospective jurors believed they could not sit in judgment of another human being? For the reasons that follow, we affirm appellant’s convictions.

The trial court enjoys “broad discretion in the conduct of voir dire, most especially with regard to the scope and the form of the questions propounded, and it need not make any particular inquiry of the prospective jurors unless that inquiry is directed toward revealing cause for disqualification.” *Stewart v. State*, 399 Md. 146, 159 (2007) (quotation mark and citation omitted). There are two broad areas of inquiry that may reveal cause for a juror’s disqualification: “(1) examination to determine whether the prospective juror meets the minimum statutory qualifications for jury service, and (2) examination to discover the juror’s state of mind as to the matter in hand or any collateral matter reasonably liable to have undue influence over him.” *Washington v. State*, 425 Md. 306, 313 (2012) (citation omitted). The latter category is comprised of “biases directly related to the crime, the witnesses, or the defendant[.]” *Id.* “If the proposed question does not further the goal of uncovering bias among prospective jurors, the trial court will not abuse its discretion in refusing to pose the question.” *Id.* at 325. In reviewing the trial court’s exercise of discretion during voir dire, we look at the record as a whole to determine whether the matter has been fairly covered, and whether the court’s questions were “reasonably sufficient to test the jury for bias, partiality, or prejudice.” *Stewart*, 399 Md. at 159-60.

Harland's sole contention on appeal is that the trial court erred in failing to ask the following question to the prospective jurors: "Do you personally believe or are [you] a member of a religious faith that believes you cannot sit in judgment of another human being?" As an initial matter, we are somewhat confused by Harland's claim because to the extent a prospective juror believed that they could not sit in judgment of others, their presence on the jury would have benefited him and not the State. Further, no juror appears to have held such a belief as they rendered a unanimous verdict in his case.

In any event, the trial court was not required to ask Harland's proposed question, because it was not reasonably likely to uncover any bias or prejudice on the part of a prospective juror that was "directly related to the crime, the witnesses or the defendant." Moreover, even if we assume that asking the question could have resulted in a response that led to the disqualification of a juror for cause, the topic of whether any prospective juror held a belief that would prevent them from fairly deciding the case was adequately covered by the trial court's question number 13: "Does any member of the jury panel hold any strong feelings related to race, sex, color, religion, national origin, or other personal attributes of the Defendant, witness, or personally?" Consequently, we believe that the trial court did not abuse its discretion by declining to ask the specific question requested by appellant.

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