

UNREPORTED*
IN THE APPELLATE COURT
OF MARYLAND

No. 2161

September Term, 2024

WILLIAM HOLLOMAN

v.

STATE OF MARYLAND

Ripken,
Tang,
Zarnoch, Robert A.,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Ripken, J.

Filed: April 13, 2026

In July of 2024, a jury in the Circuit Court for Baltimore City found William Holloman (“Appellant”) guilty of first-degree felony murder, attempted robbery with a dangerous weapon, conspiracy to commit attempted robbery with a dangerous weapon, and a variety of offenses related to use of a handgun in a crime of violence. The court sentenced Appellant to life incarceration, suspending all but fifty years, the first five of which were to be served without the possibility of parole.¹ Appellant noted a timely appeal and has presented the following question for our review:²

Whether the circuit court abused its discretion in regulating Appellant’s cross-examination of witnesses.

For the reasons to follow, we shall affirm the judgment of the circuit court.

FACTUAL AND PROCEDURAL BACKGROUND

In November of 2023, Appellant was indicted in the Circuit Court for Baltimore City for the murder of Ephraim Gordon and the attendant attempted robbery, conspiracy to

¹ The court sentenced Appellant to a term of life incarceration, with all but fifty years suspended, the first five years to be served without the possibility of parole, and to be followed by five years of probation for the first-degree murder conviction. The court ordered the remainder of Appellant’s sentences to be served concurrent to the murder conviction, sentencing Appellant to twenty years’ incarceration for the attempted robbery conviction; twenty years’ incarceration for the conspiracy to commit to attempt armed robbery conviction; ten years’ incarceration for the use of a handgun in the commission of a crime of violence conviction; ten years’ incarceration for the conspiracy to use a handgun in a crime of violence conviction; and three years’ incarceration for the conviction for wearing, carrying, or transporting a handgun.

² Rephrased from:

Did the trial court err in preventing cross-examination of the State’s cooperating witness pertaining to questions that would have exposed his participation in and false statements about a different shooting and carjacking that occurred just hours before the instant offense?

commit armed robbery, conspiracy to commit murder, use of a handgun in a crime of violence, and other related charges. A jury trial was held in July of 2024 during which multiple witnesses testified, including two of Appellant’s co-conspirators. The following facts were elicited during trial.

The Shooting of Ephraim Gordon and Initial Police Response

Ephraim Gordon was visiting family on Fords Lane in the Park Heights area of Baltimore when he was shot and killed just after midnight on May 3, 2021. Shneur Marshall (“Marshall”), a relative who lived nearby, testified that the night of the shooting, he heard a gunshot, and went to the window, where he observed three Black men who “looked younger” running away. Marshall clarified that he observed the age range of these individuals to be “adolescents” or “young adults.” Marshall provided his observations to the responding officers.

Christopher Woerner, who in May of 2021 worked as an officer for the Baltimore Police Department, was one of the officers who responded to the scene on the night of the shooting. Officer Cierra Thurmand, who was in field training in May of 2021, also responded to the scene. Emergency personnel rendered aid to Gordon, who was transported to a hospital by medics; however, he died from a gunshot wound to his left side. Footage from both officers’ body-worn cameras depicting the emergency response was admitted into evidence.

Dr. Russell Alexander, an assistant medical examiner for the State of Maryland, conducted the autopsy of Gordon and determined that the cause of death was a gunshot wound, with the nature of the death being a homicide. Dr. Alexander’s autopsy report, as

well as autopsy photographs, were admitted into evidence. Dr. Alexander testified that based on the presence of stippling around the wound, Gordon had likely been shot at close range, meaning a distance no further than five feet away.

Baltimore Police Investigation

Detective Ceasar Mohammed of the Baltimore Police Department testified regarding the investigation into Gordon's murder. After the scene was processed, police began canvassing for additional information, including determining the location of cameras and obtaining available 911 calls. After identifying addresses with surveillance footage, the cybercrimes unit was tasked with obtaining the footage. Det. Mohammed also recovered surveillance footage from a gas station which was admitted into evidence. Using the surveillance footage acquired, Det. Mohammed identified three individuals later determined to be Omarion Anderson, Rasheed Morris, and Appellant, and was able to track the movement of Anderson and Morris from Fords Lane to the gas station. Although the surveillance footage did not capture the shooting, it depicted Gordon parking his vehicle, the three individuals approaching the location where Gordon parked, the three individuals engaging Gordon as he walked to his family's home; and two individuals subsequently running away from Gordon.³ Det. Mohammed explained that in the course of the investigation, police were able to identify a red Lexus as the suspect vehicle, and Clinton as the driver of the vehicle.

³ The footage captured one of the individuals running towards Gordon.

Det. Mohammed interviewed Anderson in late May of 2021 regarding his role in the attempted robbery of Gordon. It was during this interview that Anderson performed photo array identifications of Clinton and Morris and was provided the location of the gun. Det. Mohammed located the gun in bushes at the location provided by Anderson. In a later interview of Anderson conducted in April of 2022, Anderson made an identification of Appellant as a person of interest in the attempted robbery of Gordon.

Det. Mohammed described Appellant's role during the murder of Gordon as follows:

[The State]: So, how many men left the red Lexus in the moments before Efraim Gordon was murdered?

[Det. Mohammed]: Three.

[The State]: And who were those three men?

[Det. Mohammed]: [Appellant], Omarion Anderson and Rasheed Morris.

[The State]: And of those three, how many of them approached Efraim Gordon?

[Det. Mohammed]: All three.

[The State]: Okay. And of those three men, how many of them ran away from Efraim Gordon after he was shot?

[Det. Mohammed]: All three.

[The State]: And of those three men, how many of them fled on foot up Bancroft?

[Det. Mohammed]: Two.

[The State]: Okay. And of those three men, how many got back in the red Lexus on Park Heights?

[Det. Mohammed]: One.

[The State] And who was that?

[Det. Mohammed]: [Appellant].

In addition to Det. Mohammed, multiple individuals testified regarding the evidence acquired in the police investigation. A neighbor who lived in Park Heights—approximately three blocks away from Fords Lane—testified that after learning about the shooting, he looked on his home camera system and observed recordings from three minutes after the shooting which depicted two people walking past his house in Park Heights from the direction of Fords Lane. The footage from the neighbor’s house was admitted into evidence. The neighbor accompanied police in obtaining footage of the night of the shooting from three other residences and facilities in the neighborhood, which were also admitted into evidence.

Detective Gomez of the Baltimore Police Department testified regarding surveillance footage recovered from four additional locations. Each of the four exhibits was admitted into evidence. Sergeant Henson of the Baltimore Police Department retrieved surveillance footage from a gas station and from an apartment building in the Park Heights region. Multiple surveillance footage clips from that gas station and from the apartment building were admitted into evidence.

Franklin Sanders of the Baltimore Police Department’s mobile crime lab collected physical evidence from the scene at Fords Lane. Sanders took photographs of the scene on the night of the shooting, which were admitted into evidence. A projectile from a firearm

was recovered from the scene. In addition, a Hi-Point⁴ firearm obscured in the bushes was recovered.

An officer from the Maryland Transportation Authority Police testified that on the afternoon on May 3, 2021, police initiated a traffic stop of a red Lexus that had been reported stolen. The vehicle had crashed, and William Clinton, who was driving the vehicle at the time, was apprehended and charged with fleeing, eluding, and possession of a stolen vehicle.

William Clinton

William Clinton testified that on the night of Gordon’s murder, Clinton, Appellant, and others including Anderson and Morris were driving in a red Lexus from Carroll Park, where they had been listening to music earlier in the evening, towards Fords Lane. During the ride from Carroll Park to Fords Lane, Anderson was in possession of the Hi-Point handgun. Clinton indicated that Appellant and Morris were sitting in the back of the car, while Clinton was driving and Anderson was sitting in the front passenger seat. Clinton recalled that someone from the back of the car suggested “hitting a lick,” which Clinton later explained means a robbery. Approximately two to five minutes after that suggestion was made, Clinton pulled over, and Anderson, Morris, and Appellant exited the vehicle. Clinton asserted that he drove away at that point. Clinton recalled hearing a gunshot and a

⁴ Hi-Point is a brand of firearms manufactured by Beemiller, Inc., an Ohio corporation and federally licensed firearms manufacturer. *See Williams v. Beemiller, Inc.*, 130 N.E.3d 833, 835 (N.Y. 2019); *see also Our Story*, Hi-Point Firearms, <https://www.hi-pointfirearms.com/about-hi-point-firearms/about-hi-point-firearms.php> (last visited Apr. 9, 2026).

scream. Clinton testified that Appellant ran back to the vehicle Clinton was driving within approximately one minute of the shooting. After Appellant re-entered the vehicle, he told Clinton that “[Morris] shot him” because Gordon did not give up his keys. After Morris texted a request to be picked up, Clinton picked him up and dropped all the remaining passengers at the train station.

Following Clinton’s review of a prior interview with police, he recalled previously telling police that Morris was the one to suggest “hit[ting] a lick”; that Appellant directed Clinton on where to pull over; and that Appellant was smiling when he exited the car.

A photograph from surveillance footage was admitted into evidence during Clinton’s testimony, in which Clinton identified himself and the red Lexus he was driving the night of the murder. Clinton had also identified Appellant in a photo array to police as the person who informed him that Morris had shot a man. That photo array was also admitted.

Omarion Anderson

Omarion Anderson testified that he and some friends went to a party in Carroll Park on the evening of May 2, 2021. After leaving the party, he received a ride with Clinton in a red Lexus, which he described as a small SUV. Anderson believed as many as nine or ten other people were in the vehicle with him. Clinton was driving the vehicle and Anderson rode in the front passenger seat. Anderson recalled that he fell asleep for a period. During the car ride, there was discussion between Clinton and Morris regarding acquiring an additional vehicle. Morris asked how they would get another car, and Clinton responded, “I guess steal it.”

After the vehicle stopped, Anderson indicated that he got out of the vehicle to relieve himself; however, he also indicated that Morris and Appellant exited the vehicle with him. According to Anderson, Clinton had a gun at some point while driving the vehicle. Anderson also recalled that Appellant had “grabbed” the gun while at Carroll Park, and he observed Appellant handing the gun to Morris upon the car being stopped. Anderson later testified that Appellant had a gun on the way to the scene, which he handed to Morris approximately forty-five seconds before Gordon was shot.

Anderson, Morris and Appellant walked towards a house with some trees. After relieving himself, Anderson indicated that the “next thing [he] kn[e]w,” Morris had pointed a gun at Gordon. Morris instructed Gordon to empty his pockets, which Gordon declined. Morris then shot Gordon. Appellant, Morris, and Anderson ran away.⁵ At some point, Appellant went in a different direction from Anderson. Before Morris and Anderson parted ways, Morris obscured the gun in some bushes. Anderson later tried to locate the gun but was unable to do so. In an interview with police that occurred a few weeks after the shooting, Anderson provided police with the general location of where to look for the gun. During the initial interview with police, Anderson identified Morris as the person who shot Gordon and Clinton as the driver of the vehicle. In a later interview, Anderson identified Appellant as the person who gave the gun to Morris.

Anderson identified himself, Morris, and Appellant in surveillance footage which had previously been admitted into evidence.

⁵ Anderson testified that he started running away, then began running towards Gordon, and then continued running away.

Jury Verdict, Post-Trial Motion, and Sentencing

The jury found Appellant not guilty of conspiracy to commit first-degree murder. The jury found Appellant guilty of first-degree felony murder, attempted robbery with a dangerous weapon, conspiracy to commit attempted robbery, use of a handgun in a crime of violence, conspiracy to use a handgun in a crime of violence, and wear, carry, or transport of a handgun.

Less than ten days after the verdict, Appellant moved for a new trial, asserting that he should have been allowed to cross-examine Clinton and Anderson about a shooting that took place earlier on the day prior to the murder of Gordon because he believed it would have shown that Clinton had received a more significant benefit from the State, and that both Clinton and Anderson were not credible.

The court conducted a hearing and subsequently denied the motion. The court then sentenced Appellant to life incarceration, suspending all but fifty years, the first five of which were to be served without the possibility of parole.⁶ Appellant noted this timely appeal.

⁶ *See supra* n.1.

DISCUSSION

THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION IN REGULATING THE CROSS-EXAMINATION OF WITNESSES.

A. Additional Facts

i. Attempts to elicit testimony regarding the Carroll Park shooting

Prior to Clinton's testimony, a discussion occurred outside the presence of the jury regarding a different shooting that occurred on the same night as Gordon's killing, a subject on which Appellant intended to cross-examine Clinton. The following exchange occurred:

[The Defense]: [T]he day's events in this case [are that] everyone's down at Carroll Park. There's a shooting that happens at Carroll Park. [Anderson], the other witness, says that [Clinton] participated and fired back and maybe even shot the girl who was shot and killed. Right? They then travel around the city and end up, you know, on Fords Lane when this whole thing happened. I was going to ask him about the Carroll Park incident and the shooting there. And [Anderson] said this, is that true? (Unintelligible).

[The Court]: How is that relevant?

[The Defense]: Because if [Anderson] is lying about him being involved in this, what else is [Anderson] lying about?

[The Court]: Well, I think that's a good point. But we're only dealing with this one incident that happened on Fords Lane.

[The Defense]: Right.

[The Court]: You're getting to open him up to a whole different prosecution. So[,] I don't see whether he did that or not has anything to do with what happened on Fords Lane.

[The Defense]: But it does have to do with whether the other witness is a liar and whether their two statements correspond. [Bec]ause he obviously says . . . he denies the shooting at Carroll Park. And he says he wasn't involved, didn't have a gun[,] and was with somebody else. All of this nonsense. And that may all be true. But my whole opening argument was listening to them and how their stories line up.

[The Court]: Yeah. But I thought it had to do with how . . . they both gave statements to the police in this case. So[,] I thought you were talking about, you know, Anderson may have said something different about . . . how these events unfolded as opposed to what Clinton said. I mean, that's what I thought. I didn't think it had anything to do with another shooting.

[The Defense]: I mean, it's about both [be]cause they both talked about both incidents in their statements.

[The State]: But him bringing them up with the statement does not -- (Cross talk)

[The Court]: Doesn't mean i[t] comes in[to] trial -- I mean it doesn't mean it comes into this trial. Well, let me hear you -- from the State.

[The State]: I would say that we would be subject to a relevancy objection. We're not -- I don't think we're in a position to (unintelligible) on something that happened on Carroll Park earlier that day.

[The Court]: Mm-hmm.

[The State]: The fact that Mr. Clinton spoke to police about a shooting in Carroll Park and about a shooting that took place on Fords Lane does nothing to Carroll Park. (Unintelligible).

[The Court]: Right. I tend to agree with the State.

[The Defense]: Yeah. I'm go[ing to] say I don't care if he did it or not. That is --

[The Court]: It doesn't matter. It wasn't --

[The Defense]: -- that is not my defense. It is -- my whole defense is that these two witnesses give inconsistent statements and one of [th]em must be lying. Or both of [th]em must be lying. And they're both doing it to preserve their own self-interest. Which is why he would lie about it.

[The Court]: Well I think that's your biggest thing. I mean, they -- whatever the deal is his sentence -- and I don't even know what the deal is for either one of them. But I assume it's depending on how they testify here --

[The State]: Yes.

[The Court]: -- as to whether that is what happens. I mean, clearly that's a self-interest. And I would give an instruction on that. But as to any credibility as -- or inconsistencies in their testimony concerning the incident on Fords Lane -- [be]cause we're here for the shooting of Mr. Gordon. So[,] any inconsistencies that they gave concerning that I think is fair play for you to cross on. But whether there are inconsistencies about a shooting that may have happened prior to this shooting, I don't find it relevant.

[The Defense]: Just note my objection. Thank you.

During Appellant's cross-examination of Clinton, counsel elicited testimony that Clinton had previously told police he had brought a gun that belonged to Anderson to Carroll Park, and that Clinton had previously told police that Clinton had a ghost gun⁷ and that Anderson was trying to give him a Hi-Point gun. On redirect, the State elicited testimony that Clinton had left his ghost gun at Carroll Park. On recross-examination, Appellant inquired why Clinton had left his gun at Carroll Park, to which Clinton responded that a friend wanted the gun. Appellant then asked Clinton: "Were you involved in a shooting at Carroll Park?" The court sustained the State's objection, ruling that a door was only opened as to a gun being at Carroll Park. The court struck Appellant's question.

ii. Attempts to elicit testimony concerning the red Lexus carjacking

In addition to the prohibited questions regarding the Carroll Park shooting, the court also limited Appellant's questions related to the carjacking of the red Lexus. During the cross-examination of Clinton, Appellant posed the following question:

⁷ A "ghost gun" is a non-serialized firearm. *See Harley v. State*, 266 Md. App. 665, 674 (2025).

[The Defense]: Do you recall telling the police that Ziah^[8] said, “Let’s go get a car?”

[Clinton]: No.

[The State]: Objection as to relevance. May I approach?

[The Court]: Come on up.

Counsel and Appellant then approached the bench, and this exchange ensued:

[The Court]: The first question I had, does the carjacking charge that he pled involve the Lexus?

[The Defense]: Yeah.

[The Court]: Okay. So[,] you [want to] refresh his memory. What is the significance of her getting a car?

[The Defense]: [Bec]ause Ziah gets this red Lexus, which they’re all in. And then they -- according to [Anderson], they decide it’s too crowded. And then, [Appellant] is the one who has the idea that we’re go[ing to] go carjack other cars so that everyone can have a car and we can meet the next day. At least according to [Anderson] this is the plan. So I’m trying to establish either that is not true or it is true.

[The Court]: Well, he said he didn’t remember telling the police that Ziah went and got a red Lexus. You’re saying -- of course and you’ve got the statement, but are you trying to refresh his recollection?

[The Defense]: No. Just trying to impeach him.

[The Court]: Oh.

[The State]: But all he said is that he doesn’t remember.

[The Court]: Well, this is cross[-examination]. Let me see if -- I just still don’t understand this. Okay. So you’re saying that she gets the red Lexus. And that impeaches [Anderson’s] testimony how?

⁸ According to Clinton, Ziah was another person who was with the group at Carroll Park on the night in question. While Clinton asserted that he did not know Ziah well, he claimed that he had received the red Lexus from Ziah.

[The Defense]: Well, [Anderson] actually says that Clinton gets the red Lexus. And he says that [Clinton] and [Morris] carjacked the red Lexus. But [Clinton] says it was Ziah who does it.

* * *

[The Court]: Yeah. Just a sec[ond]. . . . So[,] I guess the question is, what [does] the Lexus have to really do with the shooting as to opposed to who got it? Who cares?

[The Defense]: I think that there is -- to the turn of events that evening and [Anderson]. [Bec]ause [Anderson] gives this statement where he says, "They were talking about gettin[g] me a car. And I thought that were go[ing to] buy me a car." Which is a stupid thing for [Anderson] to think. Especially when everyone's been going around carjacking everyone that night. So that is what I'm getting at.

[The Court]: Yeah. Let's cross --

[The State]: Your Honor, I think that if that's also (unintelligible) that statement could be assumably impeachment just common[-]sense understanding. But the fact that just like when we found out the Carroll Park shooting that -- the fact that [Anderson's] and [Clinton's] version of events differ as to strings of events doesn't open up those strings of events up to relevancy in this case.

[The Court]: Mm-hmm.

[The State]: This is --

[The Court]: Yeah. I --

[The State]: -- we can't have a mini trial on carjacking.

[The Court]: I kind[of] agree. I don't know that the Lexus is somewhere -- did the police discover later on that the Lexus is carjacked? I mean, how do you know the Lexus is carjacked?

[The Defense]: [Bec]ause it -- he crashes it the next day. And it was carjacked.

[The Court]: Who crashes it?

[The Defense]: He does.

[The Court]: And then somebody carjacked it?

[The Defense]: No. They -- Ziah carjacked -- either Ziah or him carjacked this guy Tony right after the Carroll Park incident [be]cause they didn't have a ride. They didn't wan[t to] get back on the bus.

[The Court]: So you're saying they didn't go to Greenmount on the bus. They went in the Lexus.

[The Defense]: No. No. No. They went to Greenmount on the bus. And then, they carjacked Tony, who's hanging out at that area the -- so -- and then, they proceed to go on other --

[The Court]: Okay. I know it's just the details that you're after, but I just don't see, you know, who carjacked the car, who did -- is relevant to this shooting. Okay?

Although the court prohibited Appellant from seeking to elicit testimony regarding the carjacking of the red Lexus, Clinton testified that he had entered a plea agreement that involved cooperation against co-conspirators in the Fords Lane shooting. Clinton also acknowledged that he had been convicted of carjacking.

B. Party Contentions

Appellant contends the court abused its discretion in excluding relevant evidence of the Carroll Park shooting and Clinton's prior statements to police concerning the architect of the red Lexus's carjacking. Appellant combines both topics and contends that testimony concerning these subjects was relevant because: 1) both events occurred close in time to the shooting of Gordon, and testimony would have been probative of Clinton's ability to recall the events of that night; 2) the sought-after testimony related to topics Clinton testified to in direct examination; 3) the sought-after testimony would have highlighted

Clinton's inconsistency in prior statements to police and his status as a cooperating witness and thus probed his motive and credibility; 4) the fact of the earlier shooting and carjacking would demonstrate Clinton's character for untruthfulness; and 5) Clinton's testimony about these events would have filled gaps and impeached Anderson's testimony. Appellant contends that the court's evidentiary rulings were not harmless.

The State asserts that several of the grounds propounded by Appellant are unpreserved, as Appellant provides different reasons on appeal regarding the proposed relevance of cross-examination than those that were offered at trial. According to the State, the Carroll Park shooting was irrelevant and not probative of any issues in the case. The State likewise argues that the facts surrounding the carjacking of the red Lexus were irrelevant, were not probative of any issues in the case, and, if allowed to be presented, would have risked confusing the jury. The State asserts that Appellant fails to explain how Clinton's previous inconsistency on an unrelated issue could be probative of a motive to lie here, particularly as Appellant was able to cross-examine Clinton regarding his plea agreement. The State argues that Appellant's claim that the sought-after evidence was demonstrative of a character trait of untruthfulness was unpreserved, procedurally incorrect, and unsupported. Finally, the State posits that Appellant did cross-examine Clinton and Anderson regarding their inconsistent statements, and eliciting testimony for the purpose of extrinsic impeachment evidence on collateral issues is not relevant and therefore not permitted.

C. Standard of Review

“[T]he Confrontation Clauses guarantee a defendant in a criminal case the right to cross-examine a witness who provides evidence against the defendant.” *State v. Galicia*, 479 Md. 341, 359 (2022) (citing *Pointer v. Texas*, 380 U.S. 400, 404 (1965)). To satisfy the right of confrontation, trial courts must allow defense counsel to reach “a threshold level of inquiry” when questioning the State’s witnesses sufficient to place before the jury facts from which the jurors, “as the sole triers of fact and credibility, could appropriately draw inferences relating to the reliability of the witness.” *Manchame-Guerra v. State*, 457 Md. 300, 309 (2018) (citations omitted). Defense counsel must also be afforded “wide latitude to cross-examine a witness as to bias or prejudices.” *Id.* (citations omitted).

Once the constitutional threshold has been met, “the trial court has considerable discretion to limit the scope of cross-examination to prevent, among other things, ‘prejudice, confusion of the issues, and inquiry that is repetitive or only marginally relevant.’” *Galicia*, 479 Md. at 360 (quoting *Manchame-Guerra*, 457 Md. at 309). In determining whether the threshold level of inquiry has been met, courts consider that while a trial judge must allow a defendant “wide latitude to cross-examine a witness as to bias or prejudices,” the examination “must not be allowed to stray into collateral matters which would obscure the trial issues and lead to the factfinder’s confusion.” *Smallwood v. State*, 320 Md. 300, 307–08 (1990) (citations omitted). “[T]he Confrontation Clause does not alter the general rule that ‘a trial court does not abuse its discretion when it excludes cross-examination that is irrelevant.’” *Calloway v. State*, 258 Md. App. 198, 215 (2023) (brackets omitted) (quoting *Simmons v. State*, 392 Md. 279, 296 (2006)).

“The threshold question, therefore, is ‘whether the evidence is legally relevant,’ that is, does it have any probative value within the meaning of [Maryland] Rule 5-401.” *Id.* at 216 (quoting *State v. Simms*, 420 Md. 705, 725 (2011)). “We review that question *de novo*.” *Id.* (citations omitted). In addition to this threshold question, if the trial court made “‘a variety of judgment calls under Maryland Rule 5-611 as to whether particular questions on cross-examination are repetitive, probative, harassing, confusing, or the like,’ we review those decisions for abuse of discretion.” *Id.* (brackets omitted) (quoting *Peterson v. State*, 444 Md. 105, 124 (2015)). Finally, “[a]s to the Confrontation Clause, we must consider whether the cumulative result of those decisions, some of which are judgment calls and some of which are legal decisions, denied the appellant the opportunity to reach the threshold level of inquiry that is constitutionally guaranteed.” *Id.* (citation and internal quotation marks omitted).

D. Analysis

Evidence is relevant if it has “any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.” Md. Rule 5-401. “Except as otherwise provided by constitutions, statutes, or these rules, or by decisional law not inconsistent with these rules, all relevant evidence is admissible[;]” however, “[e]vidence that is not relevant is not admissible.” *Calloway*, 258 Md. App. at 216 (quoting Md. Rule 5-402). Although trial judges have discretion to weigh relevancy “in light of unfairness or efficiency considerations, trial judges do not have discretion to admit irrelevant evidence.” *Id.* (quoting *Simms*, 420 Md. at 724).

“A witness ‘may be cross-examined on any matter relevant to the issues, and the witness’s credibility is always relevant.’” *Nensala v. State*, 268 Md. App. 519, 534 (2026) (quoting *Reese v. State*, 54 Md. App. 281, 286 (1983)). However, while credibility is always relevant, “not all evidence is relevant to credibility.” *Id.* Whether evidence is relevant to the proposition it is being offered to prove is a question of law. *Id.* “When evidence meets the threshold for relevancy, a trial court nevertheless may exercise discretion to limit its use for cross-examination[.]” *Id.* at 534–35 (citation omitted).

Maryland Rule 5-616 provides methods of impeaching a witness either by inquiry from the witness or by extrinsic evidence. On appeal, Appellant asserts that the sought-after testimony falls within several methods of impeachment permitted under this rule. To the extent preserved, we review each.

i. Relevance

The issue of whether a shooting occurred at Carroll Park did not make any of the facts of consequence in the murder of Gordon, or the related the conspiracy, attempted robbery, or handgun possession, any more or less likely than they would have been without exploration of the issue. *See* Md. Rule 5-401; *see also Montague v. State*, 471 Md. 657, 674 (2020). Carroll Park’s relevance was that it was the location at which the individuals involved in the shooting of Gordon gathered and where handguns were initially exchanged. Allowing Appellant to explore a separate shooting would have permitted inquiry into a tangential matter that risked confusion of the issues, misleading the jury, and wasting time. *See Calloway*, 258 Md. App. at 216. The court did not abuse its discretion in limiting Appellant’s inquiry. *See Parker v. State*, 185 Md. App. 399, 427–28 (2009).

Similarly, the issue of who specifically was responsible for carjacking the red Lexus was tangential, and the court did not abuse its discretion in limiting Appellant's cross-examination of Clinton on this topic. Appellant was asked to explain the relevance of the testimony regarding Clinton's prior statement to police related to the carjacking, i.e., that Ziah had suggested carjacking the red Lexus. Appellant responded by explaining that the goal was to impeach Anderson's testimony, because Anderson's statement was that that Clinton got the red Lexus, while Clinton stated that he got the car from Ziah. The issue of whether it was Clinton or Ziah who was the primary actor in carjacking the red Lexus did not make any of the facts of consequence in the murder of Gordon or the related the conspiracy, attempted robbery, or handgun possession any more or less likely than they would have been without exploration of the issue. *See* Md. Rule 5-401; *see also Montague*, 471 Md. at 674. Because Ziah's potential involvement in carjacking the red Lexus did not make Appellant's involvement in the facts material to the crimes charged any more or less likely, it was irrelevant. *See id.* Further, allowing Appellant to explore the issue of who carjacked the red Lexus would have permitted inquiry into a tangential matter that risked confusion of the issues, misleading the jury, and wasting time. *See Calloway*, 258 Md. App. at 216. The court did not abuse its discretion in limiting Appellant's inquiry. *See Parker*, 185 Md. App. at 427–28.⁹

⁹ Appellant was not charged with carjacking; the State had already elicited evidence that Clinton had pled guilty to carjacking and he was the one driving the red Lexus. The State later elicited evidence that Clinton was arrested for possession of the red Lexus.

ii. Prior Inconsistent Statement

Maryland Rule 5-616(a)(1) permits a witness to be impeached through questions directed at proving the witness “has made statements that are inconsistent with the witness’s present testimony[.]” When arguing to the court that testimony regarding the Carroll Park shooting should be admitted, Appellant asserted that Clinton’s and Anderson’s prior statements related to Carroll Park were inconsistent with each other, which demonstrated that one of them must be lying, and that they were lying out of self-interest. The court explained that Appellant was free to examine the witnesses on inconsistencies in their testimony related to Fords Lane, but inconsistencies related to a prior shooting were irrelevant.

On its face, Appellant’s reasoning is inconsistent with Maryland Rule 5-616, as the court precluded evidence regarding the Carroll Park shooting, and Clinton would therefore not be testifying on that subject. Hence, a statement given to police regarding that shooting could not be inconsistent with his present testimony on the topic, because none existed. *See* Md. Rule 5-616(a)(1). Further, allowing Appellant to explore witness statements given to police concerning a separate shooting, which were extrinsically inconsistent, would have been potentially more attenuated than testimony regarding the Carroll Park shooting, and would have permitted inquiry into tangential matters that risked confusion of the issues, misleading the jury, and wasting time. *See Calloway*, 258 Md. App. at 216. The court did

not abuse its discretion in limiting Appellant’s inquiry. *See Parker*, 185 Md. App. at 427–28.¹⁰

iii. The Opened Door Doctrine

Appellant further asserts that the door to testimony regarding the Carroll Park shooting had been opened by the State, and he therefore should have been provided the opportunity to explore the shooting to aid the jury in assessing the value of Clinton’s direct testimony. We note that this issue is partially unpreserved, as the only time Appellant attempted to elicit testimony based on the opened door doctrine was when counsel asked Clinton whether he was involved in a shooting at Carroll Park. The court sustained the State’s objection to this inquiry. The court explained that the State had opened the door as far as Clinton leaving a gun at Carroll Park, which permitted Appellant to inquire regarding the reason the gun was left at that location. Appellant offered no explanation as to why he believed the door was opened further. We will therefore not address Appellant’s unpreserved argument concerning the State’s questions that Appellant now contends opened the door.¹¹

¹⁰ We note that counsel for Appellant did cross-examine Clinton regarding his status as a cooperating witness, his plea agreement, and the agreed-upon sentences resulting from his plea deal. Counsel elicited testimony that Clinton’s understanding was that his agreement with the State required him to “testify in a manner that [the State] deem[s] to be appropriate[.]” Appellant was not prohibited from eliciting testimony concerning self-interested testimony.

¹¹ To preserve a claim that a trial court erroneously excluded evidence, the party must be prejudiced by the ruling, and the substance of the evidence must have been “made known to the court by offer on the record” or must have been “apparent from the context within which the evidence was offered.” *Vanderpool v. State*, 261 Md. App. 163, 188 (2024)

The opened door doctrine permits the admission of rebuttal evidence that may otherwise have been inadmissible in response to evidence put forth by the opposing side. *State v. Robertson*, 463 Md. 342, 352 (2019). The doctrine provides a remedy for a situation in which “one party introduces evidence that was previously irrelevant, over objection, and in doing so, makes relevant an issue in the case.” *State v. Heath*, 464 Md. 445, 459 (2019). In other words, by the first party’s introduction of an issue, previously inadmissible evidence may become relevant so that the second party has a fair opportunity to respond to the new issue. *See id.* (citing 5 Lynn McLain, *Maryland Evidence State and Federal*, § 103:13(c)(i) 82 (3d ed. 2013)). “Although the ‘opening the door’ doctrine expands the rule of relevancy, the doctrine has its limitations. The doctrine does not allow, for example, ‘injecting collateral issues into a case or introducing extrinsic evidence on collateral issues.’” *Id.* (quoting *Clark v. State*, 332 Md. 77, 87 (1993)).

Here, during Appellant’s cross-examination of Clinton, counsel elicited testimony that Clinton had previously told police he had brought a gun that belonged to Anderson to Carroll Park, and that Clinton had previously told police that Clinton had a ghost gun and that Anderson was trying to give him a Hi-Point gun. On redirect, the State elicited testimony that Clinton had left his ghost gun at Carroll Park. On recross-examination, Appellant asked why Clinton had left his gun at Carroll Park, to which Clinton responded that a friend wanted the gun. Appellant then asked Clinton: “Were you involved in a shooting at Carroll Park?” The court sustained the State’s objection, ruling that the door

(quoting *Devincentz v. State*, 460 Md. 518, 535 (2018) (in turn quoting Md. Rule 5-103(a)(2))).

was only opened as to a gun being at Carroll Park. We perceive no error with respect to the court’s ruling that the State had opened the door in a limited manner as to Clinton’s possession and leaving of a handgun at Clinton Park. Appellant’s attempt to introduce evidence relating to the Carroll Park shooting was a collateral issue that exceeded the scope of the State’s redirect examination and would have injected the collateral issue into the case. *Heath*, 464 Md. 459–60. The court did not err in limiting Appellant’s cross-examination in this regard.

iv. Extrinsic Impeaching Evidence

Appellant further asserts that Clinton’s earlier statements regarding the Carroll Park shooting, and the carjacking of the red Lexus, would have been probative of whether Anderson’s statements regarding those events were truthful. Maryland Rule 5-616(b) governs admissibility of extrinsic evidence by contradiction. *Anderson v. State*, 220 Md. App. 509, 519 (2014). Evidence is extrinsic when it is proved by another witness. *See id.* (citing 6 Lynn McLain, *Maryland Evidence State and Federal*, § 607:3 553 (3d ed. 2013)). While extrinsic evidence of the witness’s prior statements that are inconsistent with the witness’s present testimony may be admitted as provided in Maryland Rule 5-613(b), “[o]ther extrinsic evidence contradicting a witness’s testimony ordinarily may be admitted only on non-collateral matters” absent the trial court’s discretion. Md. Rule 5-616(b)(1)–(2). In determining whether an issue is collateral for purposes of impeachment, courts examine “whether the fact as to which the error is predicated is relevant independently of the contradiction[,] and not whether the evidence would be admissible in terms of

satisfying the rules of evidence.” *Anderson*, 220 Md. App. at 521 (quoting *Smith v. State*, 273 Md. 152, 162 (1974)).

Here, Clinton’s prior statement regarding the Carroll Park shooting would not have been independently relevant to a material fact concerning the shooting of Gordon on Fords Lane. *See id.* (citing *Smith*, 273 Md. at 158). Clinton’s statement was therefore on a collateral issue, and any testimony elicited from Clinton on this topic would also have been collateral. The court therefore did not abuse its discretion in limiting Appellant’s inquiry.

v. Unpreserved Arguments

On appeal, Appellant identifies several additional explanations that he did not raise at trial as to why the excluded testimony should have been permitted on cross-examination. These include: the suggestion that the Carroll Park shooting and the red Lexus carjacking occurred closely in time to the shooting of Gordon, and testimony would have been probative of Clinton’s ability to recall the events of that night; the suggestion that both events would demonstrate Clinton’s character for untruthfulness; the suggestion that testimony concerning the carjacking related to topics Clinton testified to in direct examination; the suggestion that testimony concerning the carjacking related to Clinton’s and Anderson’s status as cooperating witnesses; and the suggestion that testimony concerning the carjacking would have demonstrated that Ziah had a role in influencing Clinton’s and Morris’s conduct on the night in question.

To preserve a claim that a trial court erroneously excluded evidence, the party must be prejudiced by the ruling, and the substance of the evidence must have been “made known to the court by offer on the record” or must have been “apparent from the context

within which the evidence was offered.” *Vanderpool v. State*, 261 Md. App. 163, 188 (2024) (quoting *Devincentz v. State*, 460 Md. 518, 535 (2018) (in turn quoting Md. Rule 5-103(a)(2))). “The preservation rule applies to evidence developed through cross-examination. While counsel need not—and may not be able to—detail the evidence expected to be elicited on cross-examination, when challenged, counsel must be able to describe the relevance of, and factual foundation for, a line of questioning.” *Id.* (brackets and ellipses omitted) (quoting *Peterson*, 444 Md. at 125). “An appeal is not an opportunity for parties to argue the issues they forgot to raise in a timely manner at trial. Nor should counsel ‘rely on this Court, or any reviewing court, to do their thinking for them after the fact.’” *Peterson*, 444 Md. at 126 (quoting *Grandison v. State*, 425 Md. 34, 70 (2012) (further citation omitted)).

In explaining the relevance or foundation of the Carroll Park shooting and who carjacked the red Lexus, Appellant did not proffer that the information sought would attack Clinton’s memory of the night in question. Nor did he suggest that evidence of either event would have impeached Clinton’s character for truthfulness. In explaining the relevance or foundation for who carjacked the red Lexus, Appellant did not proffer that the evidence was relevant to a door the State had opened, or that the evidence would show that Ziah was responsible for the attempted robbery and murder of Gordon, or that her possible involvement in carjacking the red Lexus would reduce Appellant’s culpability, or that the testimony was probative of Clinton’s status as a cooperating witness. Because counsel failed to identify these bases as grounds for why cross-examination on these topics would produce relevant evidence, they are unpreserved. *See Peterson*, 444 Md. at 125. Nor do we

find persuasive Appellant’s argument that this is a case in which the novel bases for relevance were “apparent from the context.” *See Devincentz*, 460 Md. at 538–39. We decline to permit Appellant the opportunity to present these issues for the first time on appeal. *See Peterson*, 444 Md. at 126.

We perceive no error or abuse of discretion in the limitations the trial court placed on Appellant in preventing him from cross-examining Clinton regarding the Carroll Park shooting and the identity of the person who carjacked the red Lexus. Nor did the “cumulative result of those decisions” deny Appellant “the opportunity to reach the threshold level of inquiry” in cross-examination that is “constitutionally guaranteed.” *Calloway*, 258 Md. App. at 217 (internal quotation marks and citation omitted).

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