

Circuit Court for Baltimore City
Case No. 118060007

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2456

September Term, 2019

MICHAEL WILLIAMS

v.

STATE OF MARYLAND

Graeff,
Ripken,
Raker, Irma S.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 12, 2021

*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.

Following a jury trial in the Circuit Court for Baltimore City, Michael Williams, appellant, was convicted of robbery with a dangerous weapon; first-degree assault; two counts of use of a firearm in the commission of a crime of violence; wearing, carrying, or transporting a firearm; and possession of a firearm under the age of 30 with a disqualifying juvenile adjudication. He raises a single issue on appeal: whether there was sufficient evidence to sustain his convictions because, he claims, the State failed to prove his identity as the perpetrator. For the reasons that follow, we shall affirm.

In reviewing the sufficiency of the evidence, we ask “whether, after reviewing 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.” *Ross v. State*, 232 Md. App. 72, 81 (2017) (citation omitted). Furthermore, we “view[] not just the facts, but ‘all rational inferences that arise from the evidence,’ in the light most favorable to the” State. *Smith v. State*, 232 Md. App. 583, 594 (2017) (citation omitted). In this analysis, “[w]e 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.’” *Potts v. State*, 231 Md. App. 398, 415 (2016) (citation omitted).

At trial, the State presented evidence that the victim was robbed at gunpoint by four masked men as he walked home from work. During a show-up identification, the victim identified Mr. Williams as one of the perpetrators based on the distinctive sweatshirt that Mr. Williams was wearing. That testimony, standing alone, was sufficient to prove Mr. Williams’s criminal agency. *See Archer v. State*, 383 Md. 329, 372 (2004) (“It is the well-

established rule in Maryland that the testimony of a single eyewitness, if believed, is sufficient evidence to support a conviction.”).¹

Mr. Williams nevertheless contends that the victim’s identification was unreliable because the assailants were wearing masks and the victim testified on cross-examination that he wasn’t sure whether Mr. Williams was one of the perpetrators. However, any inconsistencies or weaknesses in the testimony of the State’s witnesses affects the weight of the evidence, and not its sufficiency. *Owens v. State*, 170 Md. App. 35, 103 (2006) (“A witness’s credibility goes to the weight of the evidence, not its sufficiency.”). Here the jury was aware of the victim’s inconsistent identification testimony, and thus, it “was faced with judging [his] credibility in the light of such inconsistency.” *Wilson v. State*, 261 Md. 551, 558 (1971). And ultimately the jury determined the victim’s identification of Mr. Williams to be credible. When combined with the other circumstantial evidence

¹ We note that this was not the only evidence implicating Mr. Williams. The State also presented evidence demonstrating that: (1) minutes after the robbery the police observed a black vehicle driving the wrong way down a one-way street several blocks from where the robbery occurred; (2) that vehicle fled from police at a high rate of speed; (3) Mr. Williams and another person then exited the vehicle, ran down an alley, and hid in the backyard of a nearby home; (4) during their flight down the alley, police observed the men discard two handguns, both of which were recovered; and (5) the clothing worn by appellant and the other male at the time of their arrest appeared to match the clothing that was worn by two of the robbers in the surveillance video of the robbery.

implicating Mr. Williams, we hold that there was sufficient evidence to sustain his convictions.

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