

Circuit Court for Caroline County
Case No.: C-05-CR-23-000022

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 2492

September Term, 2023

DONTRE LA'MAR SMITH

v.

STATE OF MARYLAND

Berger,
Friedman,
Hotten, Michele D.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Hotten, J.

Filed: November 3, 2025

*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).

Following a jury trial in the Circuit Court for Caroline County, Dontre La’Mar Smith (“Appellant”) was convicted of second-degree assault, reckless driving and related traffic offenses stemming from a traffic collision. He was sentenced on January 30, 2024 to 10 years for second-degree assault, and a \$500 fine for reckless driving and other related traffic offenses. On appeal, Appellant presents three questions for our review:

1. Did the trial court err in allowing opening statement that ran afoul of the ruling on Appellant’s motion in limine and in permitting testimony likewise in contravention of that ruling?
2. Did the trial court err in admitting hearsay that “the nature of the collision was something to do with a domestic dispute?”
3. Was the evidence legally insufficient to support the assault conviction?

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

BACKGROUND

Appellant and Kennishia Douglas (“the victim”) were previously in a romantic relationship that was “on and off for a couple of years.” At the time of the collision, the relationship had ended but the parties were “dealing with each other off and on.”

On July 6, 2022, Appellant went to the victim’s house, accused the victim of infidelity, and assaulted the victim’s daughter’s boyfriend. Thereafter, the victim secured a peace order against Appellant.

On the day of the traffic collision, August 22, 2022, Appellant called the victim numerous times, but the victim did not answer. That same morning, Appellant called the victim’s place of employment, inquiring about her location.

Shortly thereafter, the victim was driving on Preston Road, a two-lane road, when the victim pulled over to make a U-turn from shoulder to shoulder in order to proceed in the opposite direction. After making the U-turn, the victim noticed “a car starting to come across the line,” causing her to “move[] out of the line . . . to merge towards the shoulder” to avoid a collision. The victim testified that “it seemed like [the car] accelerated as it kept coming across [towards me],” so she began to accelerate to “try to go around” the incoming car. Nevertheless, both cars collided head on. The victim screamed and locked her car doors when she observed Appellant exit his car and walk towards her. Appellant kicked the victim’s car door in an effort to pull the victim from the car, falsely asserting the victim’s car was on fire.

The victim reported the collision to 911. In sending an officer to the scene, a dispatcher informed Trooper Zachary Brown the collision had “something to do with a domestic dispute.” Both the victim and Appellant provided different explanations for the cause of the collision to Trooper Brown. In a written statement to the Maryland State Police, Appellant stated that after he saw the victim’s car make a U-turn, it “looked like [it] was gonna stay in my lane coming back across,” so Appellant tried “to go around to avoid her but [it appeared] . . . both [cars] w[ere] trying to avoid each other.” Appellant further stated, “[i]t seem[ed] like my wheel lost control like the inlinement [sic].”¹ After the collision, Appellant and the victim continued to talk to each other “off and on[.]”

¹ Trooper Brown did not testify to how the victim explained the collision to him at trial. The victim did not provide a written statement. The victim, did however, testify at trial about how the collision occurred.

Appellant was charged with thirteen offenses, including first-degree assault, second-degree assault, reckless driving, negligent driving, and other related traffic offenses. Trial commenced on December 18, 2023 and concluded on December 19, 2023.

On the first day of trial, Appellant filed a motion in limine seeking to exclude:

1. Any and all references to Mr. Smith's criminal record, both adult and juvenile, including but not limited to arrests, convictions, sentences, dispositions, parole, probation, etc.
2. Any and all reference to any of Mr. Smith's prior incarcerations.
3. Any reference to any allegations of other "bad acts" of Mr. Smith.
4. Any reference to protective or peace orders, or filings seeking a protective or peace order, that name Mr. Smith as the respondent.

The State filed a motion seeking to introduce evidence at trial involving “assaultive contact, stalking, possessiveness, and harassment of the victim [by Appellant], ultimately leading [the victim] to obtain an interim protective order.”

During pretrial proceedings, the State reasserted its desire to discuss evidence of Appellant’s altercation with the victim six weeks prior and the resulting peace order.

Specifically, the State said:

Because the events that the State want to speak about are from six weeks prior, they involve the Defendant going to the victim's house in Cambridge, there being an altercation there where he accuses her of basically infidelity, because there's witnesses to this event. And he has ah, like has an assaultive contact with the one daughter's boyfriend, and then he leaves.

* * *

He says [the car collision is] a mistake. And this evidence goes to directly rebut, the assertion he makes that this was non-intentionally or that it was some kind of mistake.

In response, Appellant moved to exclude such evidence, arguing,

I just want to clarify, my understanding is what the State is trying to introduce is information related to an incident that lead [sic] to a protective order being

filed. And um, I'm not certain, because I'm not sure if the State articulated exactly what evidence of other crimes that they're intending to introduce, that's . . . that's what I believe, there's also possibly some text messages, that they may be trying to introduce that I think could fall under other acts rules.

* * *

The State hasn't provided any evidence that there's any other bad acts or ah, other allegations of assault, or harassment or stalking that happened between the filing of this Protective Order and the car accident. . . . No indication that there was any continued communication between the parties. So, I don't think that this falls, it clearly does not fall under mistake, mistake [sic] or accident.

* * *

This case, the offense date is more then [sic] a year and a half old. And all of the documents that they are trying to introduce or talk about were issued by the complaining witness and signed by the Court prior to the events that sustain this case. It's just too late for the State to try to drop this information on the Defense.

The circuit court eventually granted Appellant's [oral] motion in limine, determining that evidence about Appellant's "prior bad acts" was inadmissible because the State failed to abide by Md. Rule 4-263(d)(4). In making its ruling, the circuit court stated:

I think while case law may support [the State's] um, position that this type of evidence can be admitted for purposes of showing you know um, a motive and intent and etcetera, I don't think that . . . that the provision provided in those rules, I mean in the case law obfuscates the obvious meaning of the discovery rules, which includes your obligation to provide, not only the witnesses statements, the list of witnesses that you did, but also prior conduct so, that set out specifically on it's own in the Maryland Rules in 4-263(d)(4). And it says specifically right after (3) which is State's witnesses that all evidence of other crimes, wrongs, or acts committed by the Defendant, State Attorney intends to offer at a hearing or trial, so pursuant to 5-404 which is the rule that you were relying on in order to submit that evidence. I think it refers back to the requirement under State law with discovery that you needed to supply those.

* * *

I think that the sanction for the discovery violation is that, it's not admissible.

Later, the court clarified that its ruling on the respective motions in limine, seeking to either admit or deny evidence regarding the incident of July 6 and the allegations giving rise to the protective order, applied to the State’s case-in-chief, but not for purposes of impeachment.

During opening statements, the State proffered:

So, you're going to hear from Kennishia Douglas. And Ms. Douglas is going to explain how she knows the Defendant. She's going to explain that she and Mr. Smith in August 2022 were former lovers. And when you hear her explain their relationship at that time in August 22, 2022 and how the Defendant was behaving to her at that time. His possessiveness, his attempts to contact her and see her.

* * *

Despite her being very clear that they were done. Her wanted [sic] to be left alone, and him being unwilling to accept that. When you hear about that from, that will be really important, because at the end of the case we're going to argue to you that this was no accident.

Appellant objected and the circuit court overruled. The victim testified to the following on direct examination:

Q: [B]riefly what happened on August 22nd, 2022?

A: August of 2022 on the 22nd[,] that morning[,] I was getting up doing things around my house. Avoiding phone calls we had been arguing. . . .

Q: [W]ho were you avoiding phone calls from?

A: Me and [Appellant].

Q: And you say you had been arguing?

A: Yes. We had been arguing, like little arguments here and there. I just didn't want to talk to him that morning. I had things to do with my kids.

* * *

Q: What were you and the Defendant arguing about at that time when you were arguing[?]

MS. DELANG: Objection.

A: It was. . . .

THE COURT: Overruled.

Q: You can answer[.]

A: It was just little arguments here and there um, more or less he always accused me of being with somebody else even though we weren't together. I still didn't deal with anybody he was always saying that there was somebody else, that I was involved with somebody else, but I wasn't.

* * *

Q: Were you . . . were you looking to have any contact with the Defendant?

MS. DELANG: Objection.

THE COURT: Sustained.

* * *

Q: Did you. . . excuse me. . . how often was the Defendant trying to contact you in this. . . at this point in July or August?

A: In August it was . . . I mean we talked every, if not every day, every other day when it came down to arguments[,] I just didn't want to deal with it. I didn't want to go through the arguments, I got tired of the argument. And I just wanted my space.

Q: [W]as the Defendant advised of that?

A: Yeah.

MS. DELANG: Objection.

THE COURT: Overruled.

A: Yes.

Q: [W]hat would he do when you advised him of that? That you . . . what did you. . . what did he do, knowing that you didn't wish to have contact? When you said you didn't want to talk with him, what would he do?

A: When I would explain to him and let him know that I just wanted space, I just needed my time. He first, at first he said he understood and then he would let me know that, you know in a relationship or dealing with a person when you have sole [sic] ties with a persons that when somebody says they want their time, their time is being with that person that their in love with, or that they love. And I tried to explain to him that sometimes even though you're in love, that's not how love always works. You do have to have your own time, your alone time, your me time. I'm a mother of four, I have grandchildren. So, I work two jobs, sometimes I was working three jobs. So, when it came time for me to want to have my alone time, I wanted to be myself.

Q: Was the Defendant willing to give you that?

MS. DELANG: Objection.

A: No.

THE COURT: Overruled.

* * *

Q: [W]hat was going on with you and the Defendant on that day on August 22nd, as far as arguments go?

A: I was arguing with him.

MS. DELANG: Objection, asked and answered.

MR. KIEF: I will clarify.

THE COURT: Overruled, I'm going to allow it.

Q: All right, just to clarify what was going on as far as arguments going on?

A: We were arguing, I wasn't answering the phone, he was steady calling my phone.

Q: Okay. How many times did he call your phone?

A: That morning I don't know it was several times.

Q: More then [sic] five times?

A: Yes.

Q: More then [sic] ten times?

A: Possibly.

Q: More then [sic] fifteen times?

A: Up until the afternoon[,] yes.

Q: So, let's talk about the morning, you said you had things to do?

A: Yes.

At trial, the responding officer to the collision recounted Appellant's version of events, stating:

He said, at one point he stated that it all happened so fast. He said that he was driving um, it would be towards Federalsburg on Preston Road, at ah, Pepper Road. He saw the blue vehicle make a U-turn. I think he just said, his words he saw the vehicle make a U-turn, um, he then said that it was drifting in his lane. He said he didn't know if maybe they were on the phone distracted, or reaching down or something like that. Drifting into his lane, um, so he said he entered this, the other lane to avoid hitting that vehicle, and then the vehicle came back in that lane and then they both swerved towards the middle, causing the head on collision. I then asked him why did he not go to the shoulder. And I believe his exact words where, he said actually I think there was a vehicle that was in the turn lane coming from Zion Road. So, he could not go to the right, is what he said. It was either he, pretty much the way it sounded to me as if he went to the right, or he couldn't go to the right to the shoulder because there was a vehicle there. So, he said the only option was to go to the left into the opposite lane.

The officer's body-worn camera recording was also played during trial. There, Appellant explained his version of events:

TROOPER BROWN: So, yeah, if there was a car in that one, how come you didn't slow down and then let her go by instead of swerving[?]

APPELLANT: I slowed down, you know what I mean. As I said I thought she was going to go back this way, but then when it . . . looked like she was actually going to stay in this, in my lane. I was like (Inaudible).

* * *

APPELLANT: And the like moving real slow, I guess trying to (inaudible). I don't know it just happened so fast, and it never dawned on me, and like I said I thought she was playing games with me, (inaudible) the other day, you know what I mean, talk to her stuff, (inaudible) so, I thought she was trying to be smart or something so, (inaudible).

* * *

APPELLANT: I definitely didn't try to hit her.

Appellant asserted his Fifth Amendment constitutional right not to testify at trial.

Following trial, Appellant was convicted of second-degree assault, reckless driving, and related traffic offenses. This appeal timely followed.

STANDARD OF REVIEW

A. Admission of Evidence

An appellate court typically reviews a circuit court's ruling on the admission of evidence for abuse of discretion. *See State v. Galicia*, 479 Md. 341, 389 (2022). An abuse of discretion occurs when a circuit judge acts in an arbitrary or capricious manner or acts beyond the letter or reason of the law. *Id.*

A circuit court has a measure of discretion in deciding whether to impose sanctions following a discovery violation. *Mason v. State*, 487 Md. 216, 240 (2024); *see also* Md.

Rule 4-263(n) (stating a circuit court can prohibit evidence from being introduced if such evidence was previously undisclosed).

Opening statements are not evidence. *State v. Heath*, 464 Md. 445, 460 (2019). Opening statements are “statement[s] by counsel made at the beginning of a trial, before the presentation of evidence, in which counsel usually provides the fact-finder with an outline of the case, the evidence that is to be presented, and the arguments that are to be made.” *Id.* To secure a reversal based on an error in opening statements, an accused is required to establish the State’s bad faith or substantial prejudice resulting therefrom. *Ott v. State*, 11 Md. App. 259, 266 (1971).

B. Issue Preservation

Rule 8-131(a) provides appellate review to matters that have been raised in or decided by the circuit court. To preserve objections on appeal, a party is required to object to the admission of evidence at the time it is offered or soon thereafter. *See* Md. Rule 4-323(a). Md. Rule 4-323(a) states:

An objection to the admission of evidence shall be made at the time the evidence is offered or as soon thereafter as the grounds for objection become apparent. Otherwise, the objection is waived. The grounds for the objection need not be stated unless the court, at the request of a party or on its own initiative, so directs. The court shall rule upon the objection promptly. When the relevancy of evidence depends upon the fulfillment of a condition of fact, the court may admit the evidence subject to the introduction of additional evidence sufficient to support a finding of the fulfillment of the condition. The objection is waived unless, at some time before final argument in a jury trial or before the entry of judgment in a court trial, the objecting party moves to strike the evidence on the ground that the condition was not fulfilled.

C. Harmless Error

An error is not harmless if an appellate court is unable to find beyond a reasonable doubt that the error influenced the verdict. *Dorsey v. State*, 276 Md. 638, 657, 659 (1976) (finding evidentiary errors can constitute reversible error). An error can be harmless even if there is no “other overwhelming and largely uncontroverted evidence” supporting a guilty verdict. *See Gross v. State*, 481 Md. 233, 257 (2022). Furthermore, in considering whether an error was harmless, this Court considers whether the evidence presented in error was cumulative of other properly admitted evidence. *Dove v. State*, 415 Md. 727, 743 (2010). “[C]umulative evidence tends to prove the same point as other evidence presented during the trial or sentencing hearing. For example, witness testimony is cumulative when it repeats the testimony of other witnesses introduced during the State's case-in-chief.” *Id.* at 744. If the evidence is cumulative, this Court must determine whether “there is no reasonable possibility that the decision of the finder of fact would have been different had the tainted evidence been excluded.” *Id.*; *see also Peisner v. State*, 236 Md. 137, 146 (1964) (finding the admitted evidence, if erroneous, was ultimately harmless due to the introduction of unobjected, competent evidence proving the same facts).

D. Hearsay

Maryland reviews de novo whether evidence is hearsay or whether evidence is admissible under a hearsay exception. *Gordon v. State*, 431 Md. 527, 538 (2013). Hearsay is “a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.” Md. Rule 5-801(c). Hearsay is not admissible unless an exception applies. Md. Rule 5-802. The hearsay rule serves to

prevent out-of-court statements from being used for their truth “because such statements are unreliable bases from which to infer the declarant's beliefs (the declarant may have been insincere or used ambiguous language), or the accuracy of those beliefs (the declarant's perception or memory may have been faulty).” *Bernadyn v. State*, 390 Md. 1, 14 (2005). Statements can be non-hearsay if they are offered to show their effect on the listener by, *inter alia*, providing context for why someone took actions in light of them learning of the statement. *See* McLain, Maryland Evidence § 801:10.

E. Sufficiency of the Evidence

When reviewing the sufficiency of evidence, the court must determine “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.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979) (emphasis in original). When making this determination, an appellate court “gives deference to a trial judge’s or a jury’s ability to choose among differing inferences that might possibly be made from a factual situation.” *Koushall v. State*, 479 Md. 124, 149 (2022) (cleaned up). Thus, an appellate court should limit its review to determining “whether the verdict was supported by sufficient evidence, direct or circumstantial, which could fairly convince a trier of fact of the defendant’s guilt of the offenses charged beyond a reasonable doubt.” *State v. Manion*, 442 Md. 419, 431 (2015).

DISCUSSION

I. The Circuit Court Did Not Err in Permitting the State to Comment During Opening Statements Regarding Appellant’s Characteristics as to Possessiveness, Jealousy and Related Traits.

The Appellant argues the circuit court erred by letting the State discuss the Appellant's possessiveness and jealousy during its opening statement. Appellant claims these topics were within the scope of the court’s ruling on the motion in limine. We disagree. The record reflects the court’s ruling only pertained to an incident which occurred between Appellant and the victim on July 6, which prompted the victim to seek a protective order.

During opening statements, the State gave “an outline of [its] case,” including the evidence and arguments to be presented. *See Heath*, 464 Md. at 460. This included the crimes charged and the relationship between Appellant and the victim. The State was allowed to characterize Appellant as possessive and jealous to set the stage for what the State intended to prove. Indeed, the State did present evidence regarding the parties’ relationship and the nature of Appellant’s harassment on the day of the collision, thereby rebutting the claim that the collision was coincidental. The circuit court exercised the appropriate discretion in allowing the State to comment.

II. Appellant Did Not Properly Preserve His Claim for the Statements Made During the Victim’s Direct Examination.

Appellant also argues the court erred in allowing the victim to testify to his possessiveness, accusations of infidelity, and refusal to accept her desire to spend time away from him. Appellant argues these topics were within the scope of the court’s motions

in limine ruling. As discussed above, we find the court only excluded evidence regarding the July 6 incident. The specific testimony Appellant cites to does not concern the July 6 incident. Thus, the foregoing testimony was admissible.

Alternatively, if the circuit court erred, we find it was harmless. “When determining whether overruling defense objections to improper statements . . . constitutes reversible, or harmless, error, we consider several factors, including the severity of the remarks, cumulatively, the weight of the evidence against the accused and the measures taken to cure any potential prejudice.” *See Lee v. State*, 405 Md. 148, 174 (2008) (applying the harmless error analysis to closing argument). In the case at bar, Appellant failed to consistently object to the victim’s testimony. *See* Md. Rule 4-323(a) (requiring Appellant to object “at the time the evidence is offered or as soon thereafter as the grounds for objection become apparent.”). Appellant argues it was an error for the victim to testify to his possessiveness, accusations of infidelity, and refusal to accept her desire to spend time away from him, but he failed to object when the victim testified to him incessantly calling her on the day of the collision, the parties’ arguments preceding the collision, and the victim’s desire for space from Appellant. We find Appellant’s objection was duplicative of evidence that was properly admitted. Therefore, we do not find the objected testimony influenced the verdict beyond a reasonable doubt.

The jury was also presented with evidence—which was properly admitted and is not contested on appeal—of the parties’ relationship history, Appellant’s inconsistent version of events, and his phone calls attempting to locate the victim. We have no reason to believe that if testimony of Appellant’s possessiveness, accusations of infidelity, and refusal to

accept her desire to spend time away from him was excluded, the jury would have come to a different decision. Thus, the victim’s testimony was harmless.

III. The Circuit Court Did Not Err in Allowing the Officer to Testify He Was Responding to a Collision Having “Something to Do with A Domestic Dispute” Because the Statement was Non-Hearsay.

At trial, the responding officer to the collision testified a dispatcher advised him the collision had “something to do with a domestic dispute.” Appellant argues the court erred in allowing this testimony because the dispatcher’s comments were hearsay.

In *Hallowell v. State*, this Court found that 911 call summaries in a computer aided dispatch report were admissible to show “what brought the officers to the scene in the first place.” 235 Md. App. 484, 524 (2018) (citing *Frobouck v. State*, 212 Md. App. 262, 283 (2013)). Similarly, in *Frobouck*, this Court held that testimony that an officer was responding to a suspected marijuana grow was admissible to explain why the officer went to the scene. 212 Md. App. at 283; *see also United States v. Jones*, 135 F.3d 771 (4th Cir. 1998) (unpublished table decision) (“[T]he dispatch evidence was not hearsay because the district court specifically told the jury that it was to consider the evidence only to understand why the officers went to S. Capital Street and not for the truth of the matter asserted.”).

The dispatcher’s comments were not being offered for the truth of the matter asserted, but to explain its effect on the responding officer and why he arrived at the scene. *See* Md. Rule 5-801(c) (describing hearsay as a statement used “to prove the truth of the matter asserted.”). Like in *Hallowell* and *Frobouck*, the contested testimony here provided context for why the officer was dispatched to the scene. *See Hallowell*, 235 Md. App. at

524; *Frobouck*, 212 Md. App. at 283. It was not used to demonstrate the truth of the matter asserted, i.e., whether the collision had to do with a domestic dispute. As such, the circuit court did not err in admitting the testimony.

IV. The Evidence Was Legally Sufficient to Convict Appellant of Second-Degree Assault.

Until 1996, the crimes of assault and battery were purely common law crimes. *Snyder v. State*, 210 Md. App. 370, 381 (2013). After assault became enumerated, its “judicially determined meanings” remained the same. *See* Md. Code Ann., Crim. Law § 3-201. Traditionally, Maryland common law embraces three types of common law assault: “(1) intent to frighten, (2) attempted battery, and (3) battery.” *State v. Frazier*, 469 Md. 627, 644 (2020). Common law battery is an offensive or harmful contact with another person. *Id.* at 644. Attempted battery consists of a substantial step toward the completion of a battery, with the apparent present ability to do so. *Hickman v. State*, 193 Md. App. 238, 251 (2010); *Snyder*, 210 Md. App. at 385 (stating attempted battery requires a showing that “the defendant actually tried to cause physical harm to the victim, the defendant intended to bring about physical harm to the victim, and the victim did not consent to the conduct.”).

Evidence can be direct or circumstantial. Direct evidence is “[e]vidence, which if believed, proves existence of fact in issue without inference or presumption.” *State v. Smith*, 374 Md. 527, 547 n.8 (2003) (quoting Black's Law Dictionary 461 (6th ed.1990)). Circumstantial evidence is “[e]vidence of facts or circumstances from which the existence or nonexistence of fact in issue may be inferred. Inferences drawn from facts proved.” *Id.*

(quoting Black's Law Dictionary 461 (6th ed.1990)). A conviction can be valid even if the entire case is based on circumstantial evidence. *Id.* at 534 (finding proof of guilt based on circumstantial evidence is no different from proof of guilt based on direct eyewitness accounts); *Hall v. State*, 119 Md. App. 377, 393 (1998) (“Circumstantial evidence is entirely 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[.]”).

In *Robinson v. State*, the defendant was convicted of second-degree assault stemming from a car collision. 209 Md. App. 174, 196-98 (2012), *overruled by*, *Dzikowski v. State*, 436 Md. 430 (2013). The foregoing evidence was presented: the victim testified that, before the defendant’s car hit him, he heard the sound of a car's engine revving, “getting louder and louder” and “coming faster”; a witness saw the defendant’s car “coming really fast” as a crowd of people gathered in a parking lot attempted to move out of the way of the car; another witness saw the defendant’s car “bobbing and weaving” through a crowd of people; and the defendant testified that he had to swerve to avoid hitting a young woman who was near his car. *Id.* This Court found the foregoing evidence was sufficient to convict the defendant of second-degree assault under a battery theory. *Id.*

In the case at bar, the jury was instructed to consider whether Appellant committed second-degree assault under both an attempted battery and battery theory. Appellant argues the evidence was legally insufficient to sustain his second-degree assault conviction, asserting that the collision was unintentional. Viewing the evidence in the light most

favorable to the State, *see Jackson*, 443 U.S. at 319, we hold the evidence was sufficient to sustain Appellant’s second-degree assault conviction.

We are required to defer to the jury’s inferences and determine whether they are supported by the evidence. *Bordley v. State*, 205 Md. App. 692, 717 (2012). The nature of the parties’ relationship and Appellant’s phone calls addressed to the victim and her place of employment generate circumstantial evidence and inferences suggesting Appellant’s guilt. The jury was allowed to infer the likelihood Appellant had some indication of where Appellant was, or the routes Appellant takes when commuting, based on the parties’ relationship. The calls Appellant made on the day in question demonstrate Appellant was looking for the victim, thereby contributing to the circumstantial evidence of Appellant’s intent. Appellant also told the responding officer he thought the victim was “playing games with [him],” based on the parties’ past dealings. The likelihood that the collision was coincidental, rather than a product of Appellant’s intent to stalk the victim, could be inferred by the triers of fact.

Furthermore, Appellant’s version of the relevant sequence of events are inconsistent. His written statement indicates the victim entered his lane, causing Appellant to “tr[y] to go around” the victim, but failed to do so because he lost his alignment. However, the video footage played at trial did not support that Appellant advised the officer his alignment failed. Moreover, it is undisputed the victim was terrified to see Appellant exit his car. The evidence was sufficient to uphold Appellant’s second-degree assault conviction. We affirm.

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