

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2383

September Term, 2015

TREVOR DONELL BECKETT

v.

STATE OF MARYLAND

Krauser, C.J.,
Nazarian,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 1, 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, on a plea of guilty to possession with intent to distribute heroin, in the Circuit Court for Baltimore County, Trevor Beckett, appellant, raises a single question on appeal: whether the trial court erred in denying his motion to suppress evidence recovered from his person and from his vehicle because, as he claims, he was arrested without probable cause, and, therefore, any search incident to that arrest was unlawful. Because the record establishes that Beckett’s arrest was supported by probable cause, and the search of his person and his vehicle arose from that lawful arrest, we affirm.

In reviewing the grant or denial of a motion to suppress, this Court views the evidence “in the light most favorable to the prevailing party,” which, in this case, is the State, and the “trial court’s fact findings are accepted unless clearly erroneous.” *Williamson v. State*, 413 Md. 521, 531 (2010). “The ultimate determination of whether there was a constitutional violation, however, is an independent determination that is made by the appellate court alone, applying the law to the facts found in each particular case.” *Belote v. State*, 411 Md. 104, 120 (2009) (citation omitted).

The testimony of the three police officers at the suppression hearing established that prior to Beckett’s arrest, the following occurred: (1) while conducting surveillance on a house where possible narcotics activity had been reported, the police observed Peter McKee emerge from the yard of the house and get into Beckett’s car, which was parked across the street from the house; (2) through the windshield of Beckett’s vehicle, the officers observed Beckett and McKee engage in behavior that, in the experience of the officers, indicated that a drug transaction had just taken place; (3) McKee was stopped immediately after exiting Beckett’s vehicle and admitted to and was found in possession

of heroin, which he stated he had purchased from Beckett; and (4) Beckett was arrested immediately after McKee’s statement was communicated to the arresting officers. Beckett contends that the officers’ testimony was not credible. Based on our review of the record, however, we cannot say that the suppression court’s credibility findings were “clearly erroneous.”

The record before us supports the suppression court’s finding that Beckett’s arrest and the search of his person and vehicle incident to his arrest were supported by probable cause. Accordingly, the court did not err in denying Beckett’s motion to suppress. *See Moulden v. State*, 212 Md. App. 331, 344 (2013) (holding that “[p]robable cause exists where the facts and circumstances within the knowledge of the officer at the time of the arrest, or of which the officer has reasonably trustworthy information, are sufficient to warrant a prudent person in believing that the suspect had committed or was committing a criminal offense”) (citation omitted).

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