

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 0055

September Term, 2025

WILLIAM HINTON

v.

STATE OF MARYLAND, et al.

Shaw,
Ripken,
Battaglia, Lynne A.,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Ripken, J.

Filed: June 12, 2026

This appeal arises from the grant of a motion for summary judgment by the Circuit Court for Prince George’s County. In 2018, William Hinton, “Appellant,” was arrested and subsequently indicted for the alleged sexual assault of a foster child in his care, “Child.” Months later, the State nolle prossed the charges against Appellant.

In November of 2021, Appellant filed the complaint at issue in the Circuit Court for Prince George’s County, seeking damages from Prince George’s County and Detective Eduardo Cruz,^{1,2} the investigating county police officer, pursuant to the Maryland Constitution. The complaint contained claims for negligence, negligent hiring and training, negligent infliction of emotional distress, false imprisonment and arrest, malicious prosecution, and civil rights violations. During the course of the litigation, all counts against Appellees were dismissed except for the claims for false imprisonment and arrest, malicious prosecution, and for violation of Appellant’s Maryland civil rights.

Following further discovery, in February of 2024, Appellees filed another motion for summary judgment addressing the remaining three counts. Appellant opposed the motion, and the circuit court conducted a hearing on the matter on January 14, 2025. The court granted Appellees’ motion at the hearing, finding that there was no dispute as to any

¹ Jointly, “Appellees.”

² Appellant additionally named the State of Maryland, Prince George’s County Police Department, KidsPeace National Centers of North America, Inc., Julia De Souza, and Kim Marshall as defendants. However, all claims against those parties were resolved by the trial court based on prior motions and are not at issue in this appeal.

material fact and Appellees were therefore entitled to judgment as a matter of law.

Appellant noted this timely appeal, presenting the following issue for our review:³

Whether the circuit court erred in granting Appellees’ motion for summary judgment.

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

FACTUAL AND PROCEDURAL BACKGROUND

The following facts were adduced from the summary judgment record and hearing. Appellant and his wife (“Y.H.”) were licensed foster parents working with KidsPeace National Centers of North America, Inc. (“KidsPeace”). In 2017, KidsPeace placed Child in the care of Appellant and Y.H. Appellant traveled frequently for work and did not speak Child’s native language, Spanish.

In October of 2018, Child disclosed allegations of sexual abuse by Appellant to her therapist. Child’s therapist reported the disclosure to Child Protective Services, who conducted an investigation. Child was interviewed at the Child Advocacy Center, and during that forensic interview Child again alleged that Appellant sexually assaulted her when no other adult was home. Specifically, Child stated that Appellant assaulted her in the hallway at the top of the stairs of the house after offering to get Child food from McDonald’s. Detective Cruz, the investigating officer from the Prince George’s County Police Department, observed the forensic interview as it was conducted.

³ Rephrased from:

Whether the [c]ircuit [c]ourt erred in granting summary judgment stating on the record that merely a “scintilla of corroboration” was necessary to establish probable cause? (bolding omitted)

Detective Cruz then interviewed Appellant and Y.H. During those interviews “there was a lot of information that did corroborate” portions of Child’s disclosure of events. Specifically, Appellant stated that he hugged Child at the top of the stairs, that the two were home alone together, and that he, Appellant, offered to buy Child food. Appellant denied all allegations of sexual abuse. Following the investigation, Child Protective Services found that sexual abuse was “indicated.”⁴

Detective Cruz reached out to the Assistant State’s Attorney assigned to the case to review the facts from the investigation and inquired as to their stance on the existence of probable cause for an arrest. The Assistant State’s Attorney informed Detective Cruz that probable cause was “present and sufficient.”

Based on the preceding facts, on November 29, 2018, Detective Cruz arrested Appellant. In so doing, Detective Cruz signed an affidavit of probable cause asserting that probable cause existed sufficient to arrest Appellant (the “affidavit”).

Appellant was then presented to a commissioner with the charging documents. The commissioner made a finding that probable cause was established. On January 3, 2019, a grand jury indicted Appellant for two counts of sexual abuse of a minor, attempted second-degree rape, third-degree sexual offense, fourth-degree sexual offense, two counts of

⁴ There are “three categories of findings that may be reached by [Child Protective Services] following an investigation: ‘indicated,’ ‘unsubstantiated,’ and ‘ruled out.’” *Dep’t of Hum. Res., Balt. City Dep’t of Soc. Servs. v. Hayward*, 426 Md. 638, 661 (2012). “[U]nsubstantiated” is “a finding that there is an *insufficient amount of evidence* to support a finding of indicated or ruled out” for abuse. *Id.* (emphasis in original) (quoting Md. Code (2019 Repl. Vol.) Family Law § 5-701(y) (“FL”). “[I]ndicated” reflects a finding “denoting responsibility,” while “ruled out” is a finding “establishing an individual’s innocence[.]” *Id.* at 662 (citing FL § 5-701(m) and (FL § 5-701(w))).

second-degree assault, and indecent exposure. In November of 2019, the State nolle prossed all counts against Appellant.

Two years later, in November of 2021, Appellant filed the complaint *sub judice* in the circuit court, alleging that Appellees were liable for negligence, negligent hiring and training, negligent infliction of emotional distress, false imprisonment and arrest, malicious prosecution, and for violating his rights under the Maryland Declaration of Rights and the United States Constitution. During the course of the litigation, the court dismissed all counts except for Appellant’s claims for violation of his Maryland civil rights, false imprisonment and arrest, and malicious prosecution.

After further discovery, in February of 2024, Appellees filed another motion for summary judgment addressing the remaining three counts. Appellant opposed the motion, claiming that the existence of probable cause was disputed and thus judgment as a matter of law was inappropriate. The circuit court conducted a hearing on the matter on January 14, 2025. Following argument by both sides, the court stated the following:

So being intimately familiar with the process of how a criminal case comes to fruition and prosecution, for there to be a[n] allegation that a case made it this far through the process and lacked probable cause is a rarity, to say the least. And for a case to get through the commissioner[']s office and then get through indictment, where at least [thirteen] different citizen[s] have said [“I’m looking at the allegations here and there is in fact sufficient probable cause[.]”]

* * *

So to say there is no probable cause, it makes no sense. Now, what does make sense is hey, judge, that probable cause, those allegations, what was presented to all of these individuals was a fabrication. Now that could possibly have some significance to it. And what [Appellant is] hanging [his] hat on is this paragraph in the [affidavit]. [“]On November 29[,], 2018, an[

interview was conducted with [Appellant], at [the] Criminal Investigation Division. [Appellant] waived his Miranda Rights and provided the statement in which he corroborated portions of the victim’s disclosure.[”]

* * *

It says here in the [affidavit] “portions[”] [were corroborated], [Appellee counsel has] identified portions.

* * *

What is the fabrication when it says he corroborated portions, we all agree, that he did say he was at home, alone with [Child] at some point, and at some point he asked for a [h]ug[”]

* * *

I don’t think [Appellant’s counsel] understand[s] the definition of corroboration. And more importantly, a scintilla of corroboration, which is needed for probable cause. . . . Motion for summary judgment is granted as to all counts.

(Line break omitted for clarity). After the grant of Appellees’ motion was entered on the docket, Appellant filed a motion to alter or amend the judgment under Maryland Rule 2-534. The court denied Appellant’s motion. Appellant then noted this timely appeal. Additional facts are included below as relevant.

DISCUSSION

THE CIRCUIT COURT DID NOT ERR IN GRANTING APPELLEES’ MOTION FOR SUMMARY JUDGMENT.

A. Party Contentions

Appellant contends that the circuit court erred in granting summary judgment in favor of Appellees because a genuine dispute of material fact remained as to the veracity of the affidavit which formed the basis for Appellant’s arrest and prosecution. Specifically,

Appellant asserts that he did not corroborate Child’s disclosure of events as propounded in the affidavit and therefore probable cause was not supported by the totality of the circumstances.⁵

Appellees posit that the circuit court did not err in determining that Appellant’s claims failed as a matter of law because a lack of legal justification was a requisite for all counts and probable cause existed for the arrest.

B. Standard of Review

“[I]n accordance with Maryland Rule 2-501(e), a motion for summary judgment is appropriate only when there is no genuine dispute as to any material fact[.]” *See Sadler v. Dimensions Healthcare Corp.*, 378 Md. 509, 515 (2003). We review a grant of summary judgment under the *de novo* standard, conducting an independent review of the record to determine whether the moving party was entitled to judgment as a matter of law. *Gambrill v. Bd. of Educ. of Dorchester Cnty.*, 481 Md. 274, 297 (2022). This court “do[es] not endeavor to resolve factual disputes, but merely determine[s] whether they exist[ed] and [were] sufficiently material to be tried.” *Id.* (citing *Newell v. Runnels*, 407 Md. 578, 607 (2009)).

⁵ Appellant additionally avers that Appellees acted with malice and reckless disregard, that his constitutional claims were *prima facie* supported by the evidence, and that the circuit court improperly disregarded the testimony of Appellant’s expert witness. Our review is limited to that upon which the trial court based its decision. *Irwin Indus. Tool Co. v. Pifer*, 478 Md. 645, 682 (2022) (citing *State v. Rovin*, 472 Md. 317, 373 (2021)); *Deboy v. City of Crisfield*, 167 Md. App. 548, 554 (2006). Further, Appellant’s contentions regarding malice rely on an inference of malice based solely on a lack of probable cause. *See Okwa v. Harper*, 360 Md. 161, 188 (2000). While it is true that malice may be inferred from a lack of probable cause in some circumstances, probable cause existed here as a matter of law, as discussed *infra*.

“There is a well-established general rule that in appeals from the granting of a motion for summary judgment, absent exceptional circumstances, Maryland appellate courts will only consider the grounds upon which the [circuit] court granted summary judgment[.]” *Selective Way Ins. Co. v. Fireman’s Fund Ins. Co.*, 257 Md. App. 1, 34 (2023) (alterations in original) (quoting *Irwin Indus. Tool Co. v. Pifer*, 478 Md. 645 (2022) (internal quotation marks and further citation omitted)). Hence, “we are generally confined to the bases relied on by the [circuit] court and [we] will not affirm the grant of summary judgment for a reason not relied upon by the circuit court.” *Deboy v. City of Crisfield*, 167 Md. App. 548, 554 (2006) (citation omitted).

C. Analysis

i. Probable cause was dispositive of the remaining counts of Appellant’s complaint.

Probable cause is required for a lawful arrest. *Rovin v. State*, 488 Md. 144, 182–84 (2024). “Probable cause, as the term suggests, is a concept based on probability” and depends on the totality of the circumstances. *Okwa v. Harper*, 360 Md. 161, 183–84 (2000). The question of whether a police officer had probable cause to effectuate an arrest is determined by the “factual and practical considerations of everyday life on which reasonable and prudent people act.” *Okwa*, 360 Md. at 184 (brackets, ellipses, and further citation omitted). In other words, “[t]he rule of probable cause is a non-technical conception of a reasonable ground for belief of guilt, requiring less evidence for such belief than would justify conviction but more evidence than that which would arouse a mere suspicion.” *Doering v. State*, 313 Md. 384, 403 (1988).

Lack of probable cause, which results in an unlawful arrest, is an element of most civil claims involving arrest-based damages. *See Rovin*, 488 Md. at 180–82. Notably, the three claims remaining at the summary judgment stage here all required a lack of probable cause. We review each in turn.

As to Appellant’s claims under the Maryland Declaration of Rights and the United States Constitution, he asserts that Appellees’ actions deprived him of his “existing and clearly established rights, privileges, and immunities[.]” Appellant averred that Appellees acted:

outside the scope of their jurisdiction and *without authority of law*. . . including but not limited to, the following: freedom from illegal detention or imprisonment; freedom from malicious prosecution, freedom from unreasonable force; freedom from physical abuse, coercion, and intimidation; the right to due process; the right to life; the right to liberty; and the right to property. All of these rights are secured to the [Appellant], by the provisions of the Fourth, Fifth and Fourteenth Amendments to the Constitution of the United States, and by Title 42 U.S.C. 1983 and 1988; and by Title U.S.C. 245.

(Emphasis added). Further, this count encompasses negligent hiring and training, on the part of Prince George’s County, and false arrest and imprisonment, in violation of Appellant’s civil rights, by Officer Cruz.

Negligent hiring and training, like all negligence claims, requires a breach of a duty owed to the complaining party. *See Jones v. State*, 425 Md. 1, 18 (2012) (citing *Horridge v. St. Mary’s Cnty. Dep’t of Soc. Servs.*, 382 Md. 170, 182 (2004)). Probable cause provides police officers the legal authority to make an arrest. *Rovin*, 488 Md. at 181 n.23; U.S. CONST. amend. IV. The complained-of breach was the failure to properly hire and train

Officer Cruz to make a legally sufficient arrest in this circumstance, a contention which turns on the existence of probable cause.

Likewise, false imprisonment requires the plaintiff to establish that “the defendant deprived him or her of his or her liberty without consent and *without legal justification*.” *See Okwa*, 360 Md. at 190 (emphasis added) (citations omitted). Legal justification is equivalent to legal authority. *Hines v. French*, 157 Md. App. 536, 551 (2004). “The test [of] whether legal justification existed in a particular case has been judged by the principles applicable to the law of arrest[,]” including requisite probable cause. *Id.*; *see also Rovin*, 488 Md. at 181. Therefore, the existence of probable cause would negate the crux of Appellant’s Maryland Civil Rights claims, including negligent hiring and training and false imprisonment.

As to the additional false imprisonment and arrest claim, as discussed above, the elements of such a claim require dismissal if a legal justification for the arrest—probable cause under these facts—is proven as a matter of law. *See Hines*, 157 Md. App. at 551; *see also Okwa*, 360 Md. at 190 (citations omitted).

Finally, as to the malicious prosecution claim, probable cause is similarly dispositive. To establish malicious prosecution, the plaintiff must show: “1) the defendant instituted a criminal proceeding against the plaintiff; 2) the criminal proceeding was resolved in the plaintiff’s favor; 3) *the defendant did not have probable cause to institute the proceeding*; and 4) the defendant acted with malice or a primary purpose other than bringing the plaintiff to justice.” *Hines*, 157 Md. App. at 553 (citing *Okwa*, 360 Md. at 183)

(emphasis added) (further citations omitted). Thus, as the circuit court correctly noted, this case turns on the existence of probable cause as a matter of law.

ii. The Trial Court did not Err in Finding Probable Cause

Detective Cruz asserted in the affidavit that there was probable cause because Child disclosed sexual abuse and Appellant “corroborated portions” of Child’s disclosure during his interview with Detective Cruz. Appellant claimed to the trial court that this assertion was fabricated because he unequivocally denied any sexual abuse during the interview. According to Appellant, because the affidavit was allegedly fabricated, the commissioner’s finding of probable cause, and that of the grand jury, were negated.

Despite Appellant’s assertions, a police officer’s statement of probable cause, such as in the affidavit, is presumptively valid. *See Franks v. Delaware*, 438 U.S. 154, 171 (1978). An attack on such a statement must be “more than conclusory” and “supported by more than a mere desire to cross-examine[.]” *Id.* Further, there must be “allegations of deliberate falsehood or of reckless disregard for the truth, and those allegations must be accompanied by an offer of proof.” *Id.*

Here, Appellant failed to make any showing of deliberate falsehood or reckless disregard for the truth. Rather, Appellant argued that the affidavit contained material untruths regarding corroboration—a conclusory statement without an offer of proof. Appellant’s claim of fabrication was instead directly refuted by the undisputed facts.

As noted by the trial court, Appellant *did* corroborate “portions” of Child’s disclosure, namely: that he hugged her at the top of the stairs, the two were home alone

together, and Appellant offered to buy Child food. Therefore, the presumption of validity of the affidavit was not destroyed. *See Franks*, 438 U.S. at 171.

Further, as probable cause requires only “a reasonable ground for belief of guilt, requiring less evidence for such belief than would justify conviction but more evidence than that which would arouse a mere suspicion[.]” Appellant’s corroboration of events was sufficient to meet that standard.⁶ *See Doering*, 313 Md. at 403.

Probable cause was additionally validated by the Assistant State’s Attorney, a commissioner, and a grand jury. Such findings reinforce the existence of probable cause underlying Appellant’s arrest and further exemplify why his civil claims failed as a matter of law. *See Brewer v. Mele*, 267 Md. 437, 453–54 (1972) (regarding the validity of a probable cause determination made after consultation with the state’s attorney). *Cf. Hines*, 157 Md. App. at 555 (explaining that a magistrate’s discharge of an accused at the preliminary hearing stage is evidence of a lack of probable cause).

Finally, we recognize that for warrant-based arrests, it is the job of the issuing magistrate to determine probable cause, not the complainant officer. *Rovin*, 488 Md. at 184. Notably, this determination relies only on the circumstances set forth in the complainant officer’s affidavit, which is based on the officer’s knowledge at the time the

⁶ On appeal, Appellant avers that the court improperly applied a “scintilla of corroboration” standard to find probable cause as a matter of law. In reviewing the record, we instead observe that the court stated that a mere scintilla of corroboration was needed *in this circumstance* to find probable cause where the question was whether probable cause was lacking because the affidavit identified the existence of corroboration. This analysis is not the application of a “scintilla of corroboration” standard for probable cause, but rather the application of the summary judgment standard—whether there was a genuine dispute of material fact—in the circumstances here. *See Sadler*, 378 Md. at 515; Md. Rule 2-501(e).

affidavit is filed. *Id.* (citations omitted). A court reviewing the probable cause determination “does not consider evidence that seeks to supplement or controvert the truth of the grounds advanced in the affidavit.” *Id.* (quotation marks and citation omitted). Hence, even though the charges against Appellant were later nolle prossed, such post-arrest events are irrelevant to our analysis *sub judice*.

Because here, probable cause existed as a matter of law, the circuit court did not err in resolving the three claims remaining at the summary judgment stage in favor of Appellees. This circumstance is the rare—but possible—outcome of a standard based in probability in which adherence to that standard limits exactly the types of claims brought by Appellant. As the Supreme Court of Maryland has stated: “[t]hat a decision based upon probable cause should upon occasion yield [this] improbable consequence is of the very nature of such reliance upon probability. Inherent in the process is the sometime bad arrest of the guilty and the sometime good arrest of the innocent.” *Mele*, 267 Md. at 439. Thus, the circuit court did not err in entering summary judgment on Appellant’s claims, as probable cause and legal justification existed for Appellant’s arrest. *See Rovin*, 488 Md. at 223.

**JUDGMENT OF THE CIRCUIT
COURT FOR PRINCE GEORGE’S
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**