

Circuit Court for Wicomico County  
Case No. C-22-CR-21-000365

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 242

September Term, 2023

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KENNETH GLENN EVANS

v.

STATE OF MARYLAND

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Ripken,  
Tang,  
Kenney, James A., III  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: February 9, 2024

\*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Following a jury trial in the Circuit Court for Wicomico County, Kenneth Glenn Evans, appellant, was convicted of first-degree murder, second-degree murder, first-degree rape, second-degree rape, home invasion, third-degree burglary, first-degree arson, robbery, and altering physical evidence. He raises a single issue on appeal: whether the court erred in refusing to strike a prospective juror for cause. For the reasons that follow, we shall affirm the judgments.

Appellant asserts that the court erred in failing to strike for cause prospective juror 314, who ultimately was not selected to serve on the jury. Specifically, appellant contends that juror 314 could not have been impartial because she indicated that she had previously been kidnapped, raped, and beaten and that the perpetrator of the crimes has escaped without punishment.<sup>1</sup> We need not resolve this issue, however, because appellant had peremptory strikes remaining at the conclusion of jury selection. Consequently, even if the court erred in not striking the prospective juror for cause, the error was not reversible. *See Morris v. State*, 153 Md. App. 480, 496 (2003) (“If disqualification for cause is improperly denied, but the accused has not exercised all allowable peremptory challenges, there is no reversible error.” (quoting *White v. State*, 300 Md. 719, 728 (1984))).

**JUDGMENTS OF THE CIRCUIT  
COURT FOR WICOMICO COUNTY  
AFFIRMED. COSTS TO BE PAID  
BY APPELLANT.**

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<sup>1</sup> Notably, the juror indicated that it would not impact her ability to be fair and impartial and that she could “sit and listen and make [her] own determination of [appellant’s] guilt or innocence.”