

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 868

September Term, 2023

EDDIE A. COLLICK

v.

STATE OF MARYLAND

Friedman,
Zic,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: March 6, 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 bench trial in the Circuit Court for Worcester County, Eddie A. Collick, appellant, was convicted of distribution of cocaine and possession of cocaine. He raises a single issue on appeal: whether there was sufficient evidence to sustain his convictions. 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) (quotation marks and 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 Detective Margaret Hall was introduced to appellant by a third party while acting undercover. On September 30, 2022, she texted appellant that she would “like to purchase \$100 worth of cocaine.” They then arranged to meet at the O.C. Dollar Store. When Detective Hall arrived, appellant asked if she could drive him to his residence at the Sea Breeze Inn, which was just around the corner. Once they arrived, Detective Hall testified that she gave appellant \$100 and in return, he handed her a “plastic bag containing a white powder.” Appellant then exited the vehicle and Detective Hall drove away. The substance in the bag was later tested and determined to be 1.025 grams of cocaine. There were two cameras in Detective Hall’s vehicle but neither

captured the drug transaction. The first was mounted at the top of the passenger seat but was pointed at the back of appellant’s head. The second was a handheld camera that could be manipulated by Detective Hall. However, it was pointed at her leg throughout the duration of the encounter. Detective Hall testified that the camera either “fell in my lap, or I put it there” and that when she realized appellant wanted her to drive to a different location, “it kind of threw off the plans to record that interaction.”

We conclude that Detective Hall’s testimony that she texted appellant and asked to purchase \$100 of cocaine, and then met with appellant, who handed her a plastic bag containing cocaine in exchange for \$100, was sufficient to prove that appellant both knowingly possessed and distributed cocaine. Appellant acknowledges this testimony but nevertheless contends that it was insufficient because neither video camera captured the hand-to-hand transaction; he and Detective Hall did not discuss drugs during the car ride; Detective Hall’s text message to him, and his response, were not entered into evidence; and the \$100 bill that Detective Hall allegedly gave him was never recovered. But the lack of corroborating physical evidence is immaterial as it “is the well-established rule in Maryland that the testimony of a single eyewitness, if believed, is sufficient evidence to support a conviction.” *Archer v. State*, 383 Md. 329, 372 (2004). Moreover, 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 trial court, as the finder-of-fact, was aware of the issues raised by appellant and “was faced with judging [Detective Hall’s] credibility” in light of those issues. *Wilson v. State*, 261 Md. 551, 558 (1971). And ultimately the court found her testimony to be credible, a finding that we cannot say is clearly erroneous. Consequently, we shall affirm the judgments of the circuit court.

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