Circuit Court for Cecil County
Case No.: C-07-CR-20-000376

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1345

September Term, 2021

HUNTER DAKOTA GATEWOOD

v.

STATE OF MARYLAND

Kehoe,
Beachley,
Kenny, James A, III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: August 30, 2022

*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.

Following a jury trial in the Circuit Court for Cecil County, Hunter Dakota Gatewood, appellant, was convicted of possession of fentanyl with the intent to distribute it and possession of crystal methamphetamine. His conviction was based in part on testimony from Jeanine Hotchkin, a latent fingerprint examination expert. On appeal, Gatewood contends that portions of Hotchkin's testimony should have been excluded either as hearsay or because the State failed to provide Gatewood's known-print card—on which Hotchkin relied—in discovery. For the reasons that follow, we shall affirm.

As a threshold matter, Gatewood's hearsay and Md. Rule 4-263(d)(10) arguments are unpreserved. Our review is limited to issues that "plainly appear[] by the record to have been raised in or decided by the trial court[.]" Md. Rule 8-131. Where an appellant states specific grounds when objecting to evidence at trial, they forfeit all other grounds on appeal. *Klauenberg v. State*, 355 Md. 528, 541 (1999). The record reflects that Gatewood stated two bases for his objection to Hotchkin's testimony: foundation and a discovery violation. Regarding the discovery objection, Gatewood specified that the known-print card should have been provided to him in discovery "if [it was] part of [Hotchkin's] analysis." Gatewood did not allege that the prints constituted "items obtained from" him. Because Gatewood specified grounds when objecting and failed to include hearsay or Rule 4-263(d)(10), he has waived those issues on appeal.[1]

[1] Even if Gatewood had preserved his hearsay argument, it would still fail because experts may base their opinion on hearsay information learned before trial if it is of a type reasonably relied upon by experts in that field as is the case here. *See Chadderton v. M.A. Bongivonni, Inc.*, 101 Md. App. 472, 489 (1994).

Although preserved, Gatewood's Rule 4-263(d)(8)(B) argument is unpersuasive. We review *de novo* whether the State violated its discovery obligations. *Thomas v. State*, 168 Md. App. 682, 693 (2006). Under Rule 4-263(d)(8)(B), the State was required to provide Gatewood "the opportunity to inspect and copy all written reports or statements made in connection with the action by [Hotchkin], including the results of any . . . comparison[.]" They were not, however, required to provide Gatewood with "the 'sum and substance of [Hotchkin's] proposed trial testimony[.]'" *Canela v. State*, 193 Md. App. 259, 312 (quoting *Hutchins v. State*, 101 Md. App. 640, 649 (1994)). Contrary to Gatewood's unsupported assertion, the State's duty does not extend to the items Hotchkin compared—only her oral and written reports. *Id.* Because the State provided those, there was no discovery violation.

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