Circuit Court for Baltimore County
Case No. 03–K–18–004787

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1400

September Term, 2019

WARREN THOMAS GRAY

v.

STATE OF MARYLAND

Berger,
Arthur,
Sharer, J. Frederick,
(Senior Judge, Specially Assigned),

JJ.

Opinion by Berger, J.

Filed: May 11, 2021

Appellant, Warren Thomas Gray, and his cousin and co-defendant, Maurico Hopkins, were charged in the Circuit Court for Baltimore County with three counts of armed robbery and related offenses. The charges arose from separate incidents, occurring on August 2, September 10, and October 5, 2018.[1] On July 9, 2019, appellant filed a "Motion to Sever Counts and Defendants." Following a hearing, the court denied appellant's motion. A three-day jury trial ensued, at the conclusion of which appellant was convicted of one count of each of the following crimes: (i) armed robbery; (ii) use of a firearm in the commission of a violent crime; (iii) conspiracy to commit armed robbery; (iv) illegal possession of a regulated firearm after having been convicted of a disqualifying crime; and (v) illegal possession of ammunition after having been convicted of a disqualifying crime. Appellant's convictions all arose from the October 5, 2018 robbery of a Carroll Fuel gas station.[2] The court sentenced him to a term of twenty years' imprisonment (the first ten without parole) for armed robbery and a consecutive term of fifteen years (the first five without parole) for use of a firearm in the commission of a violent crime. The court suspended the sentences for the remaining charges. Appellant timely appealed and presents a single question for our review, which we quote verbatim:

> Did the trial court err in denying appellant's motion to sever his trial on charges arising from the August 2018 robbery of

[1] Although Mr. Hopkins initially was appellant's co-defendant, he ultimately pled guilty to one count of armed robbery and one count of use of a firearm in the commission of a violent crime, thereby severing his case from that of appellant. The State nolle prossed the remaining counts.

[2] At the close of its case-in-chief, the State nolle prossed the charges pertaining to the September 10 robbery of the Oakleigh Convenience Store. The jury acquitted appellant of the charges arising from the August 2 robbery of Ajax Liquors.

> the Ajax Liquor Store from the trial on charges arising from the October 2018 robbery of the Carrol Fuel gas station?

We answer appellant's question in the negative and shall, therefore, affirm the judgments of the circuit court.

BACKGROUND

A. The First Robbery

Shortly before 10:00 a.m. on August 2, 2018, a man wearing a windbreaker and a New York Yankees baseball cap entered Ajax Liquors, a store located at 3011 East Joppa Road in Parkville, Maryland. He told the store's owner, George Bobo, that he had a check to cash. The man then approached the check-cashing counter with a piece of paper in hand. When Mr. Bobo reached for the ostensible check, the man drew what appeared to be a black handgun from the waist of his pants and pointed it at him. After removing approximately $9,300 from the register, the assailant ordered Mr. Bobo to the ground and fled. Once appellant had gone, Mr. Bobo activated the store's alarm and called 911.

Detective Jason Blevins of the Baltimore County Police Department ("BCPD") was the lead detective assigned to the case. Upon arriving at the scene, Detective Blevins canvassed the surrounding area, whereupon he learned that Tim's Auto, an establishment directly adjacent to Ajax Liquors, was equipped with multiple security cameras. The surveillance footage from those cameras showed a suspect exit the front passenger's seat of what appeared to be a silver sedan with three aluminum wheel rims and one dark-colored rim on the rear passenger's side. The footage further depicted the suspect walk across the

Ajax Liquor's parking lot, enter the store, and (approximately one minute after having entered) flee the scene.

Detective Blevins determined that the vehicle was a 1999–2005 Mercedes sedan, and circulated flyers containing still photographs of the car to fellow law enforcement officers. Upon learning of a possible match, Detective Blevins drove to Aspen Hill Road to examine the suspect vehicle. There, he found a 2004 Mercedes matching the appearance of the sedan featured in the footage. A search of the Maryland Motor Vehicle Administration database revealed that appellant was the vehicle's registered owner.

On August 14th, Detective Blevins secured a search warrant authorizing the BCPD to place a Global Positioning System ("GPS") tracking device on appellant's vehicle. The GPS device was affixed to the Mercedes the following day. The police then erected a "geo fence" around appellant's home to alert them when his vehicle left the perimeter of the "fence."

B. The Second Robbery

On September 10, two armed men entered the Oakleigh Convenience Store, robbed the establishment, and fled. GPS records indicated that appellant's vehicle drove to the crime scene, was parked approximately one block away from the convenience store during the robbery and was driven away thereafter. Based on surveillance footage derived from Oakleigh's security cameras, Detective Blevins identified Mr. Hopkins as one of the two robbers.

Although the Oakleigh Convenience Store robbery was raised at the July 22, 2019, motions hearing, at trial the State did not introduce any evidence pertaining to that robbery. Having declined to do so, on the second day of trial the State nolle prossed the charges arising from the Oakleigh robbery. Accordingly, even if the court erred in declining to sever the counts pertaining to the second robbery from those arising from the first and third (it did not), any such error would have been harmless beyond a reasonable doubt. *See Yates v. State*, 202 Md. App. 700, 711 (2011) ("One factor that an appellate court considers in determining whether the admission of inadmissible evidence was harmless error is 'the use the State made of the inadmissible [evidence].'" (quoting *Harrod v. State*, 423 Md. 24, 40 (2011))), *aff'd*, 429 Md. 112 (2012).

C. The Third Robbery

On the morning of October 5, Detective Corporal Matthew Krauch, then the supervisor of the Baltimore County Robbery Unit, received an alert that appellant's silver Mercedes had crossed the geo fence. At or around 11:25 that same morning, a man entered the Carroll Fuel gas station at 9200 Harford Road in Parkville, Maryland. The man walked to the back of the store, picked up a soda, and made his way to the cashier's desk. As the store's cashier, Genga Simkhava Lemichan, began to ring him up, the man "jump[ed] over the register," drew a small silver handgun, aimed it as Ms. Lemichan, and demanded that she open the cash register. After she had done so, Ms. Lemichan's assailant seized the cash

from the register. He then ordered her to open a second register.[3] Again, Ms. Lemichan complied, and again the assailant removed the cash from the register. Although Ms. Lemichan was unsure how much money the culprit had stolen, at trial she testified that Carroll Fuel normally kept an aggregate of between $200 and $400 in the registers. In addition to the cash, the culprit stole Ms. Lemichan's iPhone X before fleeing the scene. Immediately after he had departed, Ms. Lemichan pressed the store's "emergency button" and called the police.

Detective Blevin's partner, Craig Schrott, reviewed surveillance footage from both Carroll Fuel and Family Car Care, an automotive repair facility across the street from Carroll Fuel. The Family Car Care footage depicted appellant parking his vehicle on an adjoining street. Thereafter, it showed Mr. Hopkins and appellant exit the vehicle, the former from the front passenger's side door and the latter from the driver's door. While Mr. Hopkins walked toward Carroll Fuel, appellant paced in the parking lot before entering Family Car Care. Less than three minutes after his egress, Mr. Hopkins returned to appellant's vehicle and entered the back seat through the rear passenger's side door. Moments later, appellant -- who had been in Family Car Care for approximately one minute -- jogged to his car and drove off.[4]

[3] At trial, Ms. Lemichan explained that Carroll Fuel is equipped with two cash registers, "[o]ne . . . for gasoline and one . . . for lottery."

[4] During a subsequent police interview, appellant claimed that he had driven to Family Car Care because his vehicle had been "acting up." He further attributed his abrupt exodus from Family Car Care to his having received a telephone call from Mr. Hopkins, in which Mr. Hopkins claimed to have been ill. Michael Dillon, the owner of Family Car

Footage from the Carroll Fuel security cameras showed appellant pull up to a gas pump minutes before the robbery, add fuel to his tank, and drive away. Thereafter, surveillance from inside Carroll Fuel depicted a man wearing a blue New York Yankees baseball cap enter the gas station and commit the robbery described above.

Upon learning of the Carroll Fuel robbery, Corporal Krauch logged into the GPS tracking system, which indicated that appellant's vehicle was then located in Baltimore City. After having done so, Corporal Krauch contacted the Warrant Apprehension Task Force, which has jurisdiction over both Baltimore City and Baltimore County. The Warrant Apprehension Task Force, in turn, coordinated with the Regional Automotive Theft Task Force. At or around 12:50 p.m., Detective Eric Hoppa, a member of the Automotive Task Force, stopped appellant's car and arrested the vehicle's sole occupants, the appellant and Mr. Hopkins.

Following their arrest, Mr. Hopkins and appellant were transported to BCPD headquarters to be interviewed. During his interview, appellant acknowledged owning a small silver "antique gun," which he claimed to keep beneath his bed. He further admitted to having driven to Carroll Fuel that day with Mr. Hopkins, who, appellant claimed, had been ill**.** After pumping five dollars' worth of gas, appellant recounted, he parked in front of Family Car Care, purportedly because Mr. Hopkins had to vomit. As Mr. Hopkins did

Care, would later testify that appellant received a telephone call, "looked down at his phone," and "left instantly."

so, appellant averred, he entered Family Car Care because his car "sounded messed up," but exited when he received a telephone call from Mr. Hopkins.

During his interview, appellant further admitted that he had driven Mr. Hopkins to a Wendy's fast-food restaurant near Ajax Liquors, whereupon Mr. Hopkins had "walked across the street to get some cigarettes or something like that." He denied, however, having participated in the Ajax robbery, saying: "[N]o, not doing no daggone robbery -- never. That is crazy. I wouldn't -- I wouldn't do nothing like that. I live right around the corner." He further denied having known that Mr. Hopkins had robbed Carroll Fuel, claiming: "I never seen him never get out the car. …. The whole time, he was sick. He was sick with his stomach." Following appellant's interview, Mr. Hopkins and he were "booked." In the course of booking appellant and Mr. Hopkins, the police recovered $113 in cash from the former and $207 from the latter.

After the police had apprehended appellant, his vehicle was towed to BCPD headquarters. During a warranted search thereof, the police discovered a silver semiautomatic Ravens Arm MP–25 loaded with five rounds of .25 caliber ammunition and a live round in the chamber. The firearm was found secreted in a glove box, which also contained appellant's wallet. In the trunk of appellant's car, the police also recovered a black BB pistol, which, according to Detective Schrott, resembled a real handgun.

We shall include additional facts as necessary to our resolution of the issue.

DISCUSSION

Appellant contends that the circuit court erroneously denied his motion to sever, arguing that the evidence relating to the robberies of Ajax Liquors and Carroll Fuel were not "mutually admissible." In his view, because the "other crimes" evidence of the Ajax Liquors robbery was inadmissible in the prosecution for the Carroll Fuel robbery, the court's denial of his motion to sever was inherently prejudicial and reversal is, therefore, required.

The State responds that evidence of the robberies at issue "was mutually admissible to prove motive and intent, identity and criminal agency, and common scheme or plan." It further contends that the court properly exercised its discretion when balancing the interest in judicial economy against the danger of unfair prejudice and concluding that the former outweighed the latter.

A. The Motion to Sever

In his July 9 motion to sever, appellant contended in conclusory fashion that evidence that his vehicle had been in the vicinity of the robberies, even when coupled with the fact that he had driven Mr. Hopkins to Carroll Fuel on October 5, was not "'so unusual and distinctive as to be like a signature.'" (quoting *Lebedun v. State*, 283 Md. 257, 279 (1978)).

In its answer to appellant's motion, the State proffered the following facts:

> On August 2, 2018, [Mr. Hopkins and appellant] robbed Ajax Liquors at gunpoint. In this incident, the co-defendant entered and committed the robbery while [appellant] waited outside in the [appellant's] distinctive vehicle, and both [Mr. Hopkins

and appellant] fled the scene together in the vehicle at the conclusion of the robbery. The gun was described as a black semi-automatic style handgun. This incident is contained within counts twenty-eight (28) through thirty-seven (37) of the indictment.

During investigation into the 8/2/18 robbery, [appellant's] vehicle was determined to be the getaway vehicle based on surveillance video. A GPS tracking device was then placed on that vehicle pursuant to a court order signed by the Honorable Judge Hanley.

On September 10, 2018, victims . . . were robbed at gunpoint at the Oakleigh Convenience Store. The robbery was perpetrated by two (2) men. The gun was described as a black semi-automatic style handgun. The [appellant's] vehicle was tracked by GPS as driving by the convenience store just prior to the incident, remaining stationary within a block of the store during the time frame of the incident, and then leaving from the area after the incident concluded. This incident is contained within counts twelve (12) through twenty-seven (27) of the indictment.

On October 5, 2018, the Carroll Fuel Store was robbed at gunpoint. The gun was described as a silver handgun. Surveillance showed the suspect (later identified as Maurico Hopkins) fleeing and then entering the [appellant's] vehicle, which was parked on the adjacent street. Surveillance also showed [appellant] re-entering his vehicle and [them] driving off together. GPS tracking also confirmed [appellant's] vehicle's location at the scene of the robbery. This incident is contained within counts one (1) through eleven (11) of the indictment.

A few hours later, both [Mr. Hopkins and appellant] were apprehended while in [appellant's] vehicle. [Appellant] was in the driver's seat. When the vehicle was searched, subsequent to search warrant, a silver handgun was located in a storage compartment in front of the driver's seat. [Appellant] admitted in a post-Miranda statement that he owned [a] silver handgun. In the trunk was a black, semi-automatic style BB gun. This incident is contained within counts one (1) through eleven (11).

(Cleaned up).

The State asserted, *inter alia*, that, rather than being offered to demonstrate appellant's propensity toward criminality, evidence of the various robberies was relevant to prove that he had driven Mr. Hopkins to the various commercial establishments with either the intent that Mr. Hopkins rob them or the knowledge that Mr. Hopkins harbored such intent. "If the [c]ourt required the counts related to each individual armed robbery to be tried separately," the State continued, "the actions could be explained away as [appellant] having no idea what his cousin was up to each time he went into a convenience or liquor store." Evidence of each occasion on which appellant's car was used in the commission of a robbery, the State concluded, constituted circumstantial evidence of the appellant's criminal intent or knowledge.

On July 22, 2019, the court held a hearing on appellant's motion. At that hearing, defense counsel argued that each robbery was too remote in time from the commission of the others to constitute a pattern of conduct whereby to render evidence of the robberies mutually admissible. He further argued that the similarities among the robberies were neither so numerous nor so distinctive as to constitute a signature.

After oral argument, the court denied appellant's motion, ruling:

> THE COURT: All right. Based on everything that I have heard and read and considering the cases that have been cited, and argued, I do find there is sufficient evidence that would be mutually admissible concerning the three incidents. There is the car, a unique car in the sense that has been described by [the State]. The car is essentially placed at all of the incidents. And [at] the third one [appellant] is also seen close by to where the robbery took place. And then found later in the car itself --

> I'm looking at the [*Lebedun*] case and looking at incidents where similarities would exist and it talks about one case, *United States versus* [*Foutz*], the proposition is made that is cited in [*Lebedun*] that similarities which existed in that case were -- it says, "such similarities as existed here fit into an obvious tactical pattern which would suggest itself to almost anyone disposed to commit a [depredation] of this sort["] and cites the *United States versus* [*Foutz*] case. And this then goes on to describe robberies of two High's ice cream stores by a male wearing sunglasses; goes on to describe a case involving a rapist driving a light blue Volkswagen, that seemed to be a similarity of incidents there.
>
> So, it is close enough to time, in my view, close enough in proximity, certainly enough where Judge Hanley found it appropriate to order a GPS placed on the vehicle which did place it at other robberies close by. I am looking at the balancing required here. I find that, balancing the need to avoid prejudice to [appellant], which this Court clearly wants to do, but also the need to promote economy and efficiency, those cases are throughout either the cases themselves or annotations to the rule itself.
>
> Now, this is a series of robberies that I find that it would be -- that the balancing test is in favor of a joinder. I would also note that joinder is favored for cases such as this. So, understanding [defense counsel's] argument, I do find that it is sufficient to deny the motion to sever.

B. Joinder and Severance

Maryland Rule 4–253 governs joinder and severance in criminal cases, and provides, in pertinent part:

> **(b) Joint Trial of Offenses.** If a defendant has been charged in two or more charging documents, either party may move for a joint trial of the charges. In ruling on the motion, the court may inquire into the ability of either party to proceed at a joint trial.

> **(c) Prejudicial Joinder.** If it appears that any party will be prejudiced by the joinder for trial of counts [or] charging documents . . . , the court may, on its own initiative or on motion of any party, order separate trials of counts, charging documents, . . . or grant any other relief as justice requires.

While joinder of offenses promotes judicial economy by avoiding the time and expense of multiple trials, that salutary effect must be balanced against the danger of unfair prejudice to the accused. *See Galloway v. State*, 371 Md. 379, 395 (2002) ("In its consideration of joinder (and thus of severance), a trial court weighs the conflicting considerations of the public's interest in preserving judicial economy and efficiency against unduly prejudicing the defendant."). "Within the meaning of Rule 4–253, prejudice 'is a term of art, and refers only to prejudice *resulting* to the defendant *from* the reception of evidence that would have been inadmissible against that defendant had there been no joinder.'" *Molina v. State*, 244 Md. App. 67, 140 (2019) (quoting *State v. Hines*, 450 Md. 352, 369 (2016) (emphasis retained)).

The threshold test for determining whether to permit joinder or to require severance is "whether the evidence of the other crimes would be admissible if the trials occurred separately[.]" *Garcia-Perlera v. State*, 197 Md. App. 534, 548 (2011). Even if such other crimes evidence would be admissible in separate trials, however, joinder is not necessarily appropriate. The Court of Appeals has established the following tripartite inquiry:

> First, the judge must determine whether evidence that is non-mutually admissible as to multiple offenses or defendants will be introduced. Second, the trial judge must determine whether the admission of such evidence will cause unfair prejudice to the defendant who is requesting a severance. Finally, the judge must use his or her discretion to determine how to respond to

> any unfair prejudice caused by the admission of non-mutually admissible evidence. The Rule permits the judge to do so by severing the offenses or the co-defendants, or by granting other relief, such as, for example, giving a limiting instruction or redacting evidence to remove any reference to the defendant against whom it is inadmissible. The judge must exercise his or her discretion to avoid unfair prejudice.

Hines, 450 Md. at 369–70.

C. Mutual Admissibility

Whether other crimes evidence is "mutually admissible" is a question of law which we review *de novo*. *See id*. at 371–72. Evidence of other offenses is mutually admissible "if it is substantially relevant to some contested issue in the case and if it is not offered to prove the defendant's guilt based on the propensity to commit crime or his character as a criminal." *State v. Faulkner*, 314 Md. 630, 634 (1986). *See also Moore v. State*, 73 Md. App. 36, 44 (1987) ("For the evidence even to qualify for admission, it must fall within one of the exceptions that the court has recognized or would be willing to recognize as having an independent relevance[.]").

Maryland Rule 5–404(b) provides a non-exhaustive list of purposes for which "other crimes, wrongs or other acts" may be properly admitted, including "proof of motive, opportunity, intent, preparation, common scheme or plan, knowledge, identity, [and] absence of mistake or accident." *See Merzbacher v. State*, 346 Md. 391 (1997) (explaining that the so-called "MIMIC exceptions"[5] to the rule against other crimes evidence is "'a

[5] "MIMIC" is an acronym referring to the classic exceptions to the prohibition against admitting other crimes evidence. As addressed above, those exceptions include evidence introduced to establish:

representative list of examples in which evidence has been found to meet the exception to the general rule of exclusion; it is not a laundry list of finite exceptions.'" (quoting *Harris v. State*, 324 Md. 490, 501 (1991))). Other crimes evidence is likewise admissible where "'several offenses [are] so connected in point of time or circumstances that one cannot be fully shown without proving the other.'" *Garcia-Perlera*, 197 Md. App. at 547 (quoting *Solomon v. State*, 101 Md. App. 331, 354 (1994), *cert. denied*, 337 Md. 90 (1995)).

In this case, appellant's *mens rea* was clearly a contested issue. According to the State's theory of the case, appellant and Mr. Hopkins had conspired to commit the subject robberies -- the former acting as the "get-away driver," while the latter assumed the role of "gunman." Appellant, on the other hand, denied having known that Mr. Hopkins had intended to rob either Ajax Liquors or Carroll Fuel.

The State's proffered evidence further established that the other crimes evidence was substantially relevant to establish appellant's knowledge and/or intent -- and not merely to show his propensity toward criminality. "Whether an accomplice has the requisite intent can be inferred from circumstantial evidence, provided said evidence suggests that the accomplice knew or had reason to know of the criminal intention of the principal." *State v. Raines*, 326 Md. 582, 594 (1992). *See also Dawkins v. State*, 313 Md.

Motive;
Intent;
Mistake, absence of;
Identity; and
Common scheme or plan.

638, 651 (1988) ("[K]nowledge may be proven by circumstantial evidence and by inferences drawn therefrom."); *Fetrow v. State*, 156 Md. App. 675, 692 ("Intent is rarely shown by direct evidence."), *cert. denied*, 382 Md. 347 (2004).

The police investigation produced evidence that appellant's vehicle was present at or near the respective crime scenes when the robberies were committed. Surveillance footage from the first furnished probable cause for the issuance of a search warrant authorizing the police to attach a GPS tracking device to appellant's "very distinctive looking" sedan. According to GPS records, that vehicle -- which, according to appellant, only he and his son ever drove -- was located approximately a block away from the Oakleigh Convenience Store when it was robbed and departed shortly after the robbery had been consummated. Surveillance footage further depicted appellant's car parked across the street from Carroll Fuel when it was robbed and drive away shortly thereafter.

At the hearing on appellant's motion to sever, the State further proffered that footage from the first and third robberies depicted appellant, himself, at or near the crime scenes. According to the State, footage from the first robbery showed appellant exiting Tim's Towing and "getting into his car the same time that [Mr.] Hopkins [was] coming from the liquor store and getting in [appellant's] vehicle." As recounted *supra*, surveillance footage from the third robbery, in turn, depicted appellant exit his vehicle, walk toward Family Car Care, and pace in the parking lot before entering the store. That same footage showed appellant exit Family Car Care minutes after the Carroll Fuel robbery, run to his vehicle, and drive Mr. Hopkins and himself from the scene.

Although not conclusive, evidence that appellant and his vehicle were present at the robberies when they were committed was nevertheless probative of his consciousness of guilt. *See Williams v. State*, 3 Md. App. 58, 61 (1968) (While "the mere presence of a person at the scene of a crime is not of itself sufficient to establish that that person was either a principal or accessory to the crime, . . . presence at the immediate and exact spot where a crime is in process of being committed is a very important factor to be considered in determining guilt.").

Upon stopping appellant's vehicle approximately an hour after the Carroll Fuel robbery, the police discovered a small silver handgun, which matched the description of the firearm used in Carroll Fuel robbery, and a black BB gun, which matched the description of the ostensible pistol used in the robberies of Oakleigh Convenience Store and Ajax Liquors. The silver handgun, moreover, both resembled the handgun that appellant admitted to having owned and was found lying next to his wallet in a driver's side storage compartment. Evidence of the weapons with which the robberies were committed, particularly when paired with the fact that they were found in appellant's possession, was substantially relevant to rebut the theory that appellant lacked the *mens rea* to commit the crimes with which he was charged.

On these facts, evidence of each armed robbery would have been mutually admissible in separate trials to establish that appellant drove Mr. Hopkins to and from the robbed premises with either the intent that Mr. Hopkins rob them or the knowledge that

Mr. Hopkins intended to do so. Evidence of the three robberies would, therefore, have been mutually admissible in separate trials.

D. Prejudice vs. Judicial Economy

While we review mutual admissibility *de novo*, we will not disturb the court's assessment of unfair prejudice absent a clear abuse of discretion. *Conyers v. State*, 345 Md. 525, 556 (1997). The joinder of offenses may unfairly prejudice an accused in the following ways:

> First, he may become embarrassed, or confounded in presenting separate defenses. Secondly, the jury may cumulate the evidence of the various crimes charged and find guilt when, if the offenses were considered separately, it would not do so. At the very least, the joinder of multiple charges may produce a latent hostility, which by itself may cause prejudice to the defendant's case. Thirdly, the jury may use the evidence of one of the crimes charged, or a connected group of them, to infer a criminal disposition on the part of the defendant from which he may also be found guilty of other crimes charged.

McKnight v. State, 280 Md. 604, 609 (1977).

When weighing the prejudice caused by joinder, the applicable counterweight is judicial efficiency and economy. *See Solomon*, 101 Md. App. at 347 ("It is not . . . probative value that dictates *joinder*. It is judicial economy."). *See also Conyers*, 345 Md. at 548 ("[J]oinder of offenses, traditionally, has been justified on the basis that 'a single trial effects an economy, by saving time and money, to the prosecution, the defendant, and the criminal justice system.'" (quoting *McKnight*, 280 Md. at 608–09). "'[A]ny judicial economy that may be had will usually suffice to permit joinder unless other non-evidentiary

factors weigh against joinder.'" *Garcia-Perlera*, 197 Md. App. at 556 (quoting *Conyers*, 345 Md. at 556).

In this case, trying appellant in a single proceeding -- rather than in three separate trials -- clearly promoted judicial economy. Appellant does not set forth any meaningful argument to the contrary, instead baldly asserting: "The evidence of the Ajax Liquors was not admissible in the Carroll Fuel robbery and hence, like any case in which other crimes evidence was wrongly admitted, this error was prejudicial[.]" On this record, we perceive no abuse of discretion in the court's finding that, in joining the charges, interests of judicial economy outweighed any unfair prejudice to appellant.

Finding no error in the court's denial of appellant's motion to sever, we affirm the judgments of the circuit court.

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