

Circuit Court for Baltimore City  
Case No. 123080006

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 1540

September Term, 2024

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MARVIN P. EDMONDS

v.

STATE OF MARYLAND

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Berger,  
Leahy,  
Getty, Joseph M.  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Berger, J.

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Filed: June 12, 2026

\* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

Appellant, Marvin P. Edmonds (“Edmonds”), was tried before a jury in the Circuit Court for Baltimore City for charges stemming from the shooting of Markquise Bynum (“Bynum”). The State was unable to locate any witnesses to the shooting and, because of brain damage sustained as a result of the shooting, Bynum was unable to recall the events surrounding his shooting. At trial, the State relied on, among other things, Edmonds’ statements to police and a series of threatening voice and text messages from “Money Marv” to Bynum. Edmonds was convicted of attempted second-degree murder; use of a firearm in the commission of a crime of violence; possession of a regulated firearm after disqualifying conviction; discharging a firearm within the Baltimore City limits; and unlawful possession of ammunition. This appeal followed.

On appeal, Edmonds presents three questions for our review, which we have reordered and rephrased as follows:<sup>1</sup>

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<sup>1</sup> Edmonds phrased the questions as follows:

1. Whether the evidence is sufficient to sustain Appellant’s convictions including but not limited to attempted second-degree murder; use of a handgun during the commission of the attempted murder; and, prohibited person?
2. Whether the trial court erred in finding sufficient evidence of authentication so as to allow the State to admit a series of text messages from the victim’s cell phone, as between “Money Marv” and the victim, over defense objection?
3. Whether the trial court abused its discretion in granting the State’s requested jury instruction as to accomplice liability, which was inapplicable under the facts of the case, and, to which Appellant’s counsel timely objected?

- I. Whether the trial court erred in finding that the State presented sufficient evidence to authenticate text messages from “Money Marv” retrieved from Bynum’s cell phone.
- II. Whether the trial court abused its discretion by granting the State’s requested jury instruction on accomplice liability.
- III. Whether there was sufficient evidence to sustain Edmonds’ convictions.

For the reasons herein, we affirm.

### **BACKGROUND**

At approximately 2:00 p.m. on February 19, 2022, Officer Hicks responded to a call reporting a shooting on the 1600 block of East Eager Street in Baltimore. When he arrived at the scene, bystanders directed Officer Hicks to a white Acura (“the Acura”) with visible damage to its front-end and a bullet hole in the front driver’s side window. The driver, later identified as Bynum, was “slouched back” in the driver’s seat. Officer Hicks observed “a lot of blood on the seat” and blood on Bynum’s head. Bynum informed Officer Hicks that he had been shot in the head. No firearms or other weapons were visible in the Acura. Although an unidentified female bystander approached Officer Hicks and informed him that she saw the Acura run into a black vehicle, Officer Hicks was unable to locate anyone who had seen the shooting or any ballistics evidence at the scene.

The scene was processed by crime laboratory technician Leah Garner (“Garner”). Upon arriving at the scene, Garner observed two vehicles -- the Acura with “significant damage to it,” and a black Nissan Rogue a block away with “heavy rearend damage.” With respect to the Acura, Garner observed suspected blood on the exterior rear driver’s side

door and a “suspected projectile defect” in the front driver’s side window. Garner did not recover any ballistics evidence.

Bynum testified at Edmonds’ trial. He testified that he suffered brain damage because the bullet with which he was shot remains lodged in his head. Further, Bynum explained that, because of the brain injury, he is legally blind and has suffered memory issues. Bynum had no memory of the shooting. According to Bynum, he and Edmonds had known each other for eight to ten years prior to the incident. Bynum described Edmonds as someone who was “like a brother” to him, but explained they had “distanced” themselves from each other approximately a month before the incident over “nothing serious.”

Detective Heath investigated the shooting. Detective Heath canvassed the 1600 block of East Eager Street for public or private security cameras but was unable to locate any. A CCTV camera located at the corner of Broadway and East Eager Street, however, revealed that the Acura and a white Ford Freestyle (“the Ford Freestyle”) were driving in close proximity to each other in the vicinity around the time of the shooting. Detective Heath was then able to obtain video footage from Johns Hopkins Hospital’s security cameras and track the route of the Acura and the Ford Freestyle. At trial, Detective Heath explained to the jury how he tracked the vehicles and traced their route on a map.

From the security videos obtained, Detective Heath was able to see damage to the rear of the Ford Freestyle. Detective Heath then cross-referenced Motor Vehicle Administration records for the eight Ford Freestyles in the City of Baltimore with other records. As part of that process, Detective Heath pulled records from a prior traffic stop

involving Edmonds in a Ford Freestyle “and noticed that [Edmonds’] vehicle had the same exact damage to the rear of the vehicle” as the Ford Freestyle observed in the security footage.

A cellphone was recovered from Bynum around the time of the shooting. Detective Heath, however, was unable to view its contents until January 2023.<sup>2</sup> Based on information retrieved from Bynum’s phone -- namely threatening text and voice messages received by Bynum from “Money Marv” -- Detective Heath was able to apply for a warrant for Edmonds’ arrest.

Thereafter, on February 28, 2023, Detective Heath interviewed Edmonds regarding the shooting. Detective Heath recorded the interview with his body-worn camera footage, which was introduced into evidence and shown to the jury at trial. Before Detective Heath mentioned a Ford Freestyle, Edmonds stated that, in his business, he had sold a Ford Freestyle. In response to questioning, Edmonds confirmed that the Ford Freestyle was white and that he had sold it recently after barely driving it “because it was messed up.”

Detective Heath next questioned Edmonds about his relationship with Bynum. Edmonds explained that he and Bynum had known each other for about 14 years and had lived together for one year. Initially, Edmonds denied “beefing” with Bynum. Later in the interview, however, Edmonds conceded that he and Bynum had been “arguing.” Detective

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<sup>2</sup> Detective Heath first testified that he was able to view the contents of Bynum’s cell phone at the end of 2022. On cross-examination, however, Officer Heath clarified that law enforcement officers were unable to view the contents of Bynum’s cell phone until January 2023.

Heath then questioned Edmonds about text messages that had been retrieved from Bynum's cell phone and Edmonds confirmed sending some of them.<sup>3</sup>

When asked why his Ford Freestyle was following Bynum's Acura on the day of the shooting, Edmonds confirmed his presence in the vicinity:

[EDMONDS]: Actually, like I said, it was an ongoing situation between me and [Bynum] having words. You understand what I'm saying? And that was the that was the problem. End of story like he threatened my life. You feel me and I didn't . . . follow him on to no Madison Street or nothing like that. What happened was he was on Madison Street following me and antagonizing me. You understand what I'm saying? And that was the end of that. I left. [W]e exchanged little words. He went his way. I went my way.

. . .

[DETECTIVE HEATH]: What went wrong that day?

[EDMONDS]: He was threatening me. Like I said he kept threatening me. . . .

[DETECTIVE HEATH]: So y'all start -- so y'all he started antagonizing you on Madison Street that day. You get - you get upset because he's antagonizing you. He's already threatened you. You getting to the point where you're like, man, I can't deal with this no more. And you pull in behind him. Whether it's to say, hey, listen man. We gotta stop this shit.

[EDMONDS]: No, I'm like what the fuck did you keep talking shit for.

[DETECTIVE HEATH]: Right. Right.

[EDMONDS]: That was the end of that. You get what I'm saying.

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<sup>3</sup> As discussed *infra*, threatening text and voice messages sent in October 2021 by "Money Marv" to Bynum were admitted into evidence at trial.

Edmonds initially denied that a shooting occurred between him and Bynum. According to Edmonds, he was alone in his car, and he did not know if anyone was in Bynum's car because the window was up. Edmonds continued to confirm his presence at the scene, but insisted he was merely on his way home.

Later in the interview, Edmonds told Detective Heath that he was not alone in the Ford Freestyle, rather, his nephew Tyshawn Edmonds ("Tyshawn") was with him and that it was Tyshawn who shot Bynum:

[EDMONDS]: My nephew ain't mean to shot him.

[DETECTIVE HEATH]: You just told me you was by yourself.

[EDMONDS]: Yeah, because I wanted to know how this goes. That's what I'm saying. I was with my -- I'm always with my nephew. Everybody know that.

[DETECTIVE HEATH]: Okay. So who who's your nephew?

[EDMONDS]: He's dead.

[DETECTIVE HEATH]: Huh?

[EDMONDS]: He's dead.

[DETECTIVE HEATH]: He's dead?

[EDMONDS]: Yeah, he OD'd. . . .

. . .

[DETECTIVE HEATH]: So when [Bynum] moves up on Madison y'all, you know, your nephew sees him and y'all get behind him on Bond.

[EDMONDS]: Yes.

[DETECTIVE HEATH]: He just he just loses his mind and just  
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[EDMONDS]: Yes. He just wanna pull up on him. Shot him.  
Shot him. I'll pull straight off because I'm the driver.

Edmonds was charged with attempted first-degree murder; attempted second-degree murder; conspiracy to commit first-degree murder; conspiracy to commit first-degree assault; conspiracy to use a firearm in commission of a crime of violence; use of a firearm in the commission of a crime of violence; possession of a regulated firearm after disqualifying conviction; discharging a firearm within the Baltimore City limits; and unlawful possession of ammunition.

Although Edmonds did not testify at trial, Officer Heath's body-worn camera footage of the interview discussed *supra* was played for the jury and admitted into evidence. Edmonds was convicted of attempted second-degree murder; use of a firearm in the commission of a crime of violence; possession of a regulated firearm after disqualifying conviction; discharging a firearm within the Baltimore City limits; and unlawful possession of ammunition. Edmonds was sentenced to an aggregate sentence of 67 years of imprisonment with all but 50 years suspended, followed by five years of supervised probation. Edmonds noted a timely appeal. We shall provide additional facts as necessary in our forthcoming analysis.

## DISCUSSION

### **I. The trial court did not err in finding sufficient evidence to authenticate the text messages from “Money Marv” retrieved from Bynum’s cell phone.**

Edmonds argues that the trial court erred by determining that the State sustained its burden of proffering sufficient evidence to authenticate a series of text messages retrieved from Bynum’s cell phone as being between Edmonds and Bynum. Specifically, Edmonds contends that, because Bynum was unable to unequivocally confirm that “Money Marv” was how he saved Edmonds’ contact information in his cell phone, there was insufficient evidence that the text messages at issue were, in fact, from Edmonds. Further, Edmonds argues that the State’s failure to prove Bynum’s cell phone was in police custody from the day of the shooting to when the text messages were retrieved almost a year later, weighed against authentication.

The State counters that the trial court had sufficient evidence from which to conclude that the text messages from “Money Marv” were, as the State claimed, text messages from Edmonds to Bynum. The State reasons that Bynum was able to identify Edmonds’ voice in the accompanying audio messages and, prior to the text messages being admitted, Bynum testified that Edmonds sent him threatening text messages. Given Bynum’s assertion that “[n]ine out of 10,” a contact in his cell phone labeled “Money Marv” would be Edmonds, the State contends it proffered sufficient evidence to authenticate the challenged text messages.

We review a trial court’s decision on authentication for abuse of discretion. *State v. Sample*, 468 Md. 560, 588 (2020) (citing *Sublet v. State*, 442 Md. 632, 676 (2015)). Prior

to being admitted at trial, proffered evidence must be authenticated. *Jackson v. State*, 460 Md. 107, 115 (2018). Pursuant to Maryland Rule 5-901(a), “[t]he requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.” A trial court “need not find that the evidence is necessarily what the proponent claims, but only that there is sufficient evidence that the *jury* ultimately might do so.” *Jackson*, 460 Md. at 116 (quoting *United States v. Safavian*, 435 F. Supp. 2d 36, 38 (D.D.C. 2006)). The proponent’s burden with respect to the authentication of evidence, therefore, is “slight.” *Jackson*, 460 Md. at 116 (citation omitted).

For electronic evidence, such as the text messages at issue here, “we utilize the ‘reasonable juror’ test, and ask whether a reasonable juror might find more likely than not that the evidence is what it purports to be.” *Sykes v. State*, 253 Md. App. 78, 91 (2021) (citing *Sample*, 468 Md. at 597, 599 n.20). Authentication “merely renders evidence admissible, leaving the issue of its ultimate reliability to the jury.” *Sublet*, 442 Md. at 668 (quoting *United States v. Vayner*, 769 F.3d 125, 131 (2d Cir. 2014)) (cleaned up). Indeed, “the opposing party ‘remains free to challenge the reliability of the evidence, to minimize its importance, or to argue alternative interpretations of its meaning[.]’” *Id.* at 669 (quoting *United States v. Tin Yat Chin*, 371 F.3d 31, 38 (2d Cir. 2004)). Any such challenges, however, “go to the *weight* of the evidence—not to its *admissibility*.” *Id.* at 669 (quoting *Vayner*, 769 F.3d at 131).

Maryland Rule 5-901(b) provides a non-exhaustive list of ways in which evidence may be authenticated. Relevant here, evidence may be authenticated by direct “[t]estimony

of a witness with knowledge that the evidence is what it is claimed to be” or by “[c]ircumstantial evidence, such as [through] appearance, contents, substance, internal patterns, location, or other distinctive characteristics[.]” Maryland Rule 5-901(b)(1), (4).

At trial, the State introduced a series of threatening audio and text messages recovered from Bynum’s cell phone.<sup>4</sup> The messages in question were received by Bynum in October 2021 from a contact named “Money Marv.” The State sought to introduce the messages as being from Edmonds to Bynum. Bynum was able to identify the voice in all three audio messages as Edmonds’. Because he was legally blind and suffering brain damage at the trial, however, Bynum was unable to read the text messages in court. Even so, before the text messages were admitted, Bynum testified that he gave his cell phone to Detective Heath because he had received threatening pictures via text message -- namely a picture of a gun -- from Edmonds.

Initially, when asked how Edmonds’ contact information was stored in his cell phone, Bynum stated “I always stored him as like, little bro. Little Marv.” On re-direct, the following transpired:

[THE STATE]: If you had a name Money Marv in your phone, who would that number belong to?

...

[BYNUM]: We -- like we -- with the phones, a lot of times it don’t matter. We might lose a phone, lose a number. Just might type it in so we can remember who it is. Like, it might be Money Marv, it might be Bro, it might be Money, it might

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<sup>4</sup> On appeal, Edmonds does not challenge the authentication of the audio messages. Accordingly, our discussion here focuses on the text messages.

be anything. It might be Tubby, Tubs, it might be anything, so.

[THE STATE]: Well, what I'm asking is, if you had a name in your -- if you had a phone number stored in your phone and the name was Money Marv, who would that phone belong to?

[BYNUM]: Him. Nine out of 10.

[THE STATE]: Who's him?

[BYNUM]: Marvin.

[THE STATE]: Okay.

...

[BYNUM]: . . . I was just basically saying the Money, like, it was just whatever phone -- if you look under that, it's going to be different names on it. It could be, I mean, names and numbers from years ago. It could be anything.

Detective Heath later testified that he originally obtained Bynum's cell phone on the date of the shooting, February 19, 2022, however, he was unable to crack the passcode and Bynum was, at the time, unable to provide it. It was not until January 2023 that Detective Heath was able to get into Bynum's cell phone and recover the subject text messages. On cross-examination, Detective Heath conceded that he had approved a release of Bynum's cell phone in November 2022, before the cell phone was searched by police with Bynum's consent in January 2023.

The text messages were admitted over Edmonds' objection:

[THE STATE]: Your Honor, I'm going to move State's 7A through F into evidence at this time.

[DEFENSE COUNSEL]: Judge, may we approach?

THE COURT: Come on up.

(Counsel and Defendant approach bench, and the following occurred:)

[DEFENSE COUNSEL]: Judge, I'm going to object. Mr. Bynum was only able to basically authenticate the voice messages. Like the State didn't attempt to preserve any text messages or photographs from his cellphone.

THE COURT: Because he couldn't see.

[DEFENSE COUNSEL]: Well --

THE COURT: But regardless, they didn't, but -- Go ahead. Did you want to respond?

[DEFENSE COUNSEL]: The purpose of Mr. Bynum's testimony was to authenticate the voice and the audio messages. Obviously I think Defense is free to argue as to whether or not we can prove that the written text messages were from the Defendant and you know, I think they've already made an objection in terms of whether we know that Money Marv text messages, whether or not they're from the Defendant or not, but that I think goes towards the weight of the evidence rather than it's admissibility. The Detective's testified that he got the text messages from the victim's phone. That these are a series of text messages. The victim has partially authenticated that he received at least the audio messages, and he authenticated the voice in those messages.

THE COURT: And he also indicated that he had Mr. Edmonds saved under a specific contact on his phone.

[THE STATE]: Right.

THE COURT: So, respectfully -- go ahead.

[DEFENSE COUNSEL]: I don't think he -- he said they were different contacts.

THE COURT: He said that there were a number of different contacts for him is what I understood his testimony to be. Is that right?

[THE STATE]: Right. Well, and he said Money Marv, that would nine times out of 10 be Marvin Edmonds.

THE COURT: Right.

[THE STATE]: Now obviously that's something you could argue but I think -- I still think it's in terms of authentication the State has gotten across the line there.

THE COURT: Yeah. I think the State has established enough foundation for the admission of these texts. As the factfinder could make the reasonable and logical conclusion that they were in fact sent by the Defendant, obviously you got a lot farther for, you know, cross-exam or argument as to whether he actually sent them. But respectfully, over your objection, I'm going to admit the exhibits.

[DEFENSE COUNSEL]: Thank you, Judge.

The trial court did not abuse its discretion in concluding that the State sustained its “slight” burden to proffer sufficient evidence from which a reasonable juror could conclude that the text messages from “Money Marv” were, in fact, sent from Edmonds. To be sure, it is undisputed that the messages were recovered from Bynum’s cell phone, which he gave to police for the purpose of showing them threatening messages sent from Edmonds. Further, while testifying about the contents of the messages, Detective Heath testified that he recovered the messages from Bynum’s cell phone. Although there was testimony that law enforcement did not have custody of the cell phone for the entire period between its recovery at the scene in February 2022 and it being searched in January 2023 -- which, as Edmonds suggests, does present a potential chain of custody issue -- that fact alone does

not render the messages inadmissible. Instead, the potential chain of custody issue brought to light during the cross-examination of Detective Heath merely provides another fact for the jury to consider in assessing the ultimate reliability of the evidence.

Moreover, when asked who the contact in his cell phone labeled “Money Marv” was associated with, Bynum testified that it was Edmonds “[n]ine out of 10.” On appeal, Edmonds makes much of Bynum’s equivocation. That, however, does not give us pause. It is true that Bynum was unable to give an unequivocal answer as to how Edmonds’ contact information was saved in his cell phone. Indeed, Bynum first testified that he stored Edmonds as either “little bro” or “little Marv.” Bynum, however, later testified -- with ninety-percent certainty -- that “Money Marv” was Edmonds.<sup>5</sup>

Notably, the “reasonable juror” standard for the authentication of evidence does not mandate one hundred percent certainty. Nor does it require the proponent to prove beyond a reasonable doubt, or even by clear and convincing evidence, that the evidence in question is what it is claimed to be. Rather, the State was only required to provide an evidentiary foundation which, by a preponderance of the evidence, would allow a reasonable juror to conclude that the text messages from “Money Marv” were, in fact, from Edmonds. The trial court concluded that the State sustained that burden, and we find no abuse of discretion whatsoever in that conclusion. Any equivocation in Bynum’s answer as to who “Money

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<sup>5</sup> As the State notes, the jury was presented with other evidence from which it could reasonably infer that “Money Marv” was Edmonds’ nickname. To be sure, the jury heard Detective Heath’s interview of Edmonds, in which Edmonds stated that he had a money bag tattoo under his eye. In its rebuttal closing argument, the State connected the money bag tattoo with the nickname “Money Marv.”

Marv” was or how he stored Edmonds’ contact information was merely evidence that Edmonds was free to highlight to the jury in challenging the reliability of the messages. That is, the fact that Bynum gave equivocal responses goes to the weight, rather than the admissibility, of the text messages.<sup>6</sup>

We are unpersuaded by Edmonds’ contention that the text messages were rendered inadmissible because the State failed to elicit testimony concerning the phone number associated with the contact “Money Marv” and whether that phone number was linked to Edmonds. Although such testimony certainly would have been helpful, the State was entitled to lay the requisite foundation for authentication in whatever way it pleased. A reasonable juror could conclude from the foundation laid -- namely Bynum’s testimony that he gave his cell phone to Detective Heath because of threatening messages he had received from Edmonds, Bynum’s testimony that he was ninety-percent sure the contact stored in his phone as “Money Marv” was Edmonds, and Detective Heath’s testimony that he retrieved the messages from Bynum’s cell phone -- that the messages from “Money Marv” were from Edmonds.

Because we discern no abuse of discretion in the trial court’s authentication determination with regard to the challenged text messages, we decline to address the State’s harmless error argument. We do, however, note that the remainder of Edmonds’ police

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<sup>6</sup> Additionally, Edmonds contends that there was insufficient evidence to support the relevance of the text messages given the four-month gap between the date the messages were sent and the date of the incident. Edmonds does not, however, fully develop this argument, nor does he cite to where in the record this argument was raised at trial. Accordingly, we decline to address the relevance of the text messages here.

interview, which was played for the jury after the text messages were admitted, provided further evidence from which the jury could reasonably conclude the messages from “Money Marv” were from Edmonds. Indeed, Edmonds acknowledged that he sent some of the threatening text messages, including the photograph of the gun, to Bynum.

**II. The trial court did not err by instructing the jury on accomplice liability.**

Next, Edmonds contends that the trial court erred by granting the requested accomplice liability instruction because it was inapplicable under the facts of the case. According to Edmonds, because the State’s principal theory of liability was that Edmonds acted alone and the State did not produce evidence of an accomplice, the requested instruction did not apply to the facts of the case.

The State counters that any challenge to the trial court’s grant of the requested accomplice liability instruction was affirmatively waived. The State reasons that, although Edmonds initially objected to the instruction, he expressly declined the trial court’s invitation to object after the jury was instructed. Such acquiescence, the State argues, constitutes waiver under Maryland Rule 4-325(f). Even if Edmonds’ challenge to the accomplice liability instruction was not waived, the State contends that the instruction was applicable to the facts of the case. The State reasons that there was “some evidence,” including Edmonds’ own statement that his nephew, Tyshawn, shot Bynum and Edmonds was the “driver,” from which a rational juror could infer that Edmonds aided, counseled, commanded, or encouraged the commission of a crime.

Finally, the State argues that, should we reach the merits and conclude that the trial court erred in giving the accomplice liability instruction, such error was harmless.

According to the State, because there is no evidence that the jury relied on the challenged instruction and the State urged the jury to convict based on Edmonds' singular conduct, the instruction's inclusion was harmless.

We review a trial court's decision to grant or deny a requested jury instruction under "the highly deferential abuse of discretion standard." *Smith v. Sheehan*, 266 Md. App. 641, 650 (2025), *cert. denied*, 492 Md. 705 (2025) (quoting *Six Flags Am., L.P. v. Gonzalez-Perdomo*, 248 Md. App. 569, 588 (2020)). In determining whether the trial court abused its discretion in such an instance, we consider three factors: "(1) whether the requested instruction was a correct statement of the law; (2) whether it was applicable under the facts of the case; and (3) whether it was fairly covered in the instructions actually given." *Id.* (quoting *Six Flags Am., L.P.*, 248 Md. App. at 589).

Here, it is undisputed that only factor two -- whether the State's requested accomplice liability instruction was applicable under the facts of the case -- is at issue. "The threshold determination of whether the evidence is sufficient to generate the desired instruction is a question of law for the judge." *Bazzle v. State*, 426 Md. 541, 550 (2012) (quoting *Dishman v. State*, 352 Md. 279, 292-93 (1998)). The party requesting a jury instruction "must only produce 'some evidence' to support the requested instruction, and this Court views the facts in the light most favorable to the requesting party." *Danshin v. State*, 491 Md. 520, 533 (2025) (quoting *Rainey v. State*, 480 Md. 230, 255 (2022)). The "'some evidence' requirement is not a high bar." *Jefferson v. State*, 268 Md. App. 354, 371 (2026) (citing *Hollins v. State*, 489 Md. 296, 311 (2024)). To be sure, the source of the evidence supporting the applicability of the requested instruction is immaterial and can

come from a single source, including the defendant. *See Danshin*, 491 Md. at 533 (citing *Dykes v. State*, 319 Md. 206, 216-17 (1990)).

At trial, Edmonds objected to the State’s request for an instruction on accomplice liability, arguing that the State had not “provided any proof of . . . an accomplice.” After concluding that the requested accomplice liability instruction was appropriate, the trial court instructed the jury as follows:

The Defendant may be guilty of the crimes charged as an accomplice even though the Defendant did not personally commit the acts that constitute those crimes. To convict the Defendant of a crime as an accomplice the State must prove that the crime occurred and the Defendant with the intent to make the crime happen knowingly aided, counseled, commanded or encouraged the commission of the crime or communicated to a [participant] in the crime that he was ready, willing and able to lend support if needed.

A person need not be physically present at the time and place of a commission of a crime in order to act as an accomplice. The mere presence of the Defendant at the time and place of the commission of a crime is not enough to prove that the Defendant is an accomplice. If presence at the scene of a crime is proven that fact may be considered along with all the other surrounding circumstances in determining whether the Defendant intended to aid a participant and communicated that willingness to a participant.

Assuming, without deciding, that Edmonds did not waive his challenge to the accomplice liability instruction, we discern no error in the trial court’s determination that the above recited instruction was applicable to the facts of the case. To be sure, Edmonds’ own statement -- namely that his nephew, Tyshawn, shot Bynum, while Edmonds acted as the “driver” -- generated facts which, if believed, could have led a reasonable juror to conclude that Edmonds, at a minimum, knowingly aided in the commission of the crime.

Further, as explained *supra*, there was sufficient evidence from which the jury could infer that the threatening voice and text messages from “Money Marv” to Bynum were, in fact, from Edmonds. The content of one of those voice messages provided a reasonable basis from which a juror could infer that Edmonds was not acting alone and that he solicited or encouraged someone to harm Bynum:

Let me tell you something, you lucky there’s a camera right there. Me and my n[\*\*\*\*\*]s would have ran up this shit just now, you fucking pussy. You’s a whole war. I’m very sure we would of ran right up in there and pistol whipped the shit out of you, you bitch. . . .

Edmonds’ statements to police, as well as his prior threats to Bynum, provided “some evidence” from which a reasonable jury could infer both Edmonds’ intent and his involvement in aiding, encouraging, or soliciting someone else’s commission of the crime.

We are not persuaded by Edmonds’ argument that, by instructing the jury on accomplice liability, the trial court somehow created confusion. Specifically, Edmonds contends that, given the theory of the State’s case and its closing argument -- both of which urged the jury to conclude that Edmonds acted alone -- the instruction was unduly confusing, and required Edmonds’ closing argument to refute the applicability of accomplice liability. It was Edmonds himself, however, that injected facts into the case to generate the challenged instruction.

Although, if Edmonds’ statements were believed, a reasonable juror could have concluded that Tyshawn shot Bynum with Edmonds offering his assistance as the “driver,” the State was not required to pursue that theory at trial. Rather, the State was entitled to prove its case however it wished. That does not mean, however, that the accomplice

liability instruction was rendered inapplicable by virtue of the State’s election to pursue a different theory at trial. Indeed, as explained *supra*, the source of the evidence does not matter for purposes of the “some evidence” test. Nor does the fact that there is overwhelming evidence to the contrary. Here, Edmonds’ statement to Detective Heath suggested that it was Tyshawn, not Edmonds, who shot Bynum while Edmonds acted as the driver. Although not the theory pursued by the State, that statement, along with the threatening voice message, was sufficient to generate the requested accomplice liability instruction and it was well within the trial court’s discretion to grant the instruction upon the State’s request.

**III. There was sufficient evidence to sustain Edmonds’ convictions.**

We now turn to the question whether there was sufficient evidence to sustain Edmonds’ convictions. Edmonds contends that, because no one identified him as being at the scene or being the shooter, there was insufficient evidence to prove his presence at the scene. Accordingly, Edmonds argues that there was insufficient evidence of his criminal agency and his conviction of attempted second-degree murder, and, in turn, his firearm-related convictions, must be vacated.

The State counters that Edmonds failed to articulate with particularity the argument that there was insufficient evidence of his criminal agency at trial, therefore, his challenge on appeal is unpreserved. Even if preserved, the State argues that there was sufficient evidence to sustain Edmonds’ convictions. The State reasons that the record at trial established that Edmonds had longstanding tensions with Bynum, sent Bynum multiple threatening voice and text messages, was present at the scene when the shooting occurred,

and provided law enforcement with a shifting narrative that included multiple inculpatory statements. This evidence, the State argues, was sufficient for the jury to infer that Edmonds was the shooter, and therefore, there was sufficient evidence of his criminal agency.

“In assessing the sufficiency of the evidence to sustain a criminal conviction,” we must “determine ‘whether, after viewing 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.’” *Howling v. State*, 478 Md. 472, 507 (2022) (quoting *State v. Manion*, 442 Md. 419, 430 (2015)). In such a review, we do not endeavor to reweigh evidence, resolve conflicting testimony, or assess witness credibility. *Smith v. State*, 415 Md. 174, 185 (2010). Rather, “[o]ur concern is only whether the verdict was supported by sufficient evidence, direct or circumstantial, which could fairly convince a trier of fact of the defendant’s guilt of the offenses charged beyond a reasonable doubt.” *Howling*, 478 Md. 472 at 507 (quoting *Taylor v. State*, 346 Md. 452, 457 (1997)). Circumstantial evidence alone may sustain a conviction, “provided the circumstances support rational inferences from which the trier of fact could be convinced beyond a reasonable doubt of the guilt of the accused.” *Palmer v. State*, 266 Md. App. 693, 708 (2025), *cert. denied*, 492 Md. 698 (2025) (quoting *Handy v. State*, 175 Md. App. 538, 562 (2007)). Our review, therefore, is focused solely on evidence which supports the State’s case. *State v. Albrecht*, 336 Md. 475, 487 (1994) (“[W]e shall only review that evidence which supported the State’s case in order to determine whether *any* rational trier of fact could have convicted the defendant of the crimes charged.”).

Assuming, without deciding, that Edmonds’ challenge to the sufficiency of the evidence was properly preserved, we conclude that there was sufficient evidence from which a reasonable jury could find Edmonds’ guilt beyond a reasonable doubt. Indeed, whether the jury credited Edmonds’ implication of Tyshawn as the shooter or the State’s theory that Edmonds acted alone, there was sufficient evidence from which the jury could reasonably infer Edmonds’ criminal agency.

The jury heard testimony about how Detective Heath tracked the Acura and Ford Freestyle in close physical and temporal proximity to the scene of the shooting. Detective Heath then testified that he was able to determine that the Ford Freestyle in question belonged to Edmonds. During Edmonds’ police interview, which was played for the jury, Edmonds stated that he had owned a Ford Freestyle but had recently sold it because it was “messed up.” Notably, as the interview progressed, Edmonds made multiple statements placing himself at the scene either at the time of the shooting or just before. Indeed, Edmonds admitted that he spoke to Bynum at the scene:

[DETECTIVE HEATH]: Did [Bynum] ever try to get out of the car that day?

[EDMONDS]: What you mean?

[DETECTIVE HEATH]: Like were you all *pulled up on to Eager Street*, did he like pop the door or --

[EDMONDS]: No, *he was talking to me from the window.*

(emphasis added) Further, the jury heard Edmonds’ statement to Detective Heath that he

was just the “driver” and that it was Tyshawn who shot Bynum.<sup>7</sup> Although Edmonds is correct that there was no direct evidence of his presence at the scene such as surveillance video or witness testimony, there was sufficient circumstantial evidence from which the jury could reasonably infer that Edmonds was present at the scene of the shooting.

Moreover, there was sufficient evidence from which the jury could infer that Edmonds was the shooter. The jury heard evidence that Edmonds and Bynum had been close friends but had grown apart and were having some sort of disagreement with each other. Bynum testified that Edmonds “was something like a brother to [him]” and that he had known Edmonds for “probably eight, eight to 10 years, estimated.” When asked what his relationship with Edmonds was like before the shooting, Bynum testified: “It wasn’t -- we had distanced ourselves from each other. We basically just stopped coming around each other for a while. It wasn’t really nothing serious. Like, at least I thought it wasn’t. I ain’t -- I really ain’t think it was that serious.” Bynum later testified, however, that he “was getting threatened” by Edmonds, who had texted Bynum pictures of a gun.

The jury also heard Edmonds’ statements to Officer Heath about his disagreement with Bynum in which Edmonds conceded to sending at least some threatening text messages to Bynum:

[EDMONDS]: Right. But you also seen like me and him have gone back and forth. It wasn’t like a situation where me and him were going to bump heads. It’s more situation where we’re arguing.

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<sup>7</sup> As explained *supra*, if credited, a reasonable jury could have found Edmonds guilty of attempted second degree murder under an accomplice liability theory based on Edmonds’ own statement that he was the “driver” for Tyshawn.

[DETECTIVE HEATH]: Yeah, but what about the situation you sitting outside of his house taking pictures of his house and his car?

[EDMONDS]: Yeah.

[DETECTIVE HEATH]: Sending them to him.

[EDMONDS]: Right.

[DETECTIVE HEATH]: Sending him pictures of a gun sitting in your lap?

[EDMONDS]: Yeah, but that was just me trying to get him to come outside to talk to me. Honestly. I'm being real with you bro. Because what happened was we arguing and I'm telling him -- I'm at work at this point. So, when I get off work . . . . He don't want to confront me and talk to me as a brother. Now, mind you, you're sitting around my nephew every single day and my nephew is bringing me back everything what you're saying about me. You get what I'm saying.

Moreover, as discussed *supra*, the threatening voice and text messages from “Money Marv” to Bynum were entered into evidence. In addition to the content of the messages discussed *supra*, a text message from “Money Marv” to Bynum stating “I’m giving you the whole clip” was also introduced into evidence.

Taken together, therefore, we conclude that there was sufficient evidence from which a reasonable jury could infer Edmonds’ criminal agency beyond a reasonable doubt. From this evidence, coupled with the evidence indicating Bynum was shot, the jury could reasonably infer the requisite elements of the corresponding firearms charges.

### CONCLUSION

For the foregoing reasons, we conclude that the text messages from “Money Marv” to Bynum were properly authenticated. Further, we conclude that the trial court did not err

in instructing the jury on accomplice liability. Finally, we conclude that there was sufficient evidence from which the jury could infer Edmonds' criminal agency, and thus his guilt, beyond a reasonable doubt. We, therefore, affirm Edmonds' judgments of conviction.

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