Circuit Court for Carroll County
Case No. C-06-CR-21-000835

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1865

September Term, 2023

CHARITY S. JOHNSON (GOODWIN)

v.

STATE OF MARYLAND

Nazarian,
Tang,
Kehoe, S.,

JJ.

Opinion by Kehoe, J.

Filed: April 18, 2025

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

On May 19, 2023, in the Circuit Court for Carroll County, Charity Goodwin[1] ("Goodwin") was convicted by a jury of first-degree murder, kidnapping, armed robbery, theft between $100 and $1,500, unlawful taking of a motor vehicle, firearm use in a crime of violence, and conspiracy to commit these offenses. Goodwin was sentenced to life imprisonment for first-degree murder; life imprisonment for conspiracy to commit first-degree murder; thirty years imprisonment for kidnapping; twenty years for armed robbery; and five years without parole for firearm use in a crime of violence. All sentences were ordered to be served consecutively, and the remaining convictions were merged.

Goodwin appealed, presenting the following questions for this Court's review:

1. Did the trial court err in failing to comply with Rule 4-215(e)?
2. Did the trial court err in permitting Detectives Becker and Dubas to opine on Goodwin's and Dwayne Rivers's ("Rivers") credibility?
3. Is Goodwin's life sentence for conspiracy illegal?

For the reasons discussed *infra*, we answer all questions in the negative and affirm the judgment of the Circuit Court for Carroll County.

I. FACTUAL BACKGROUND

On June 27, 2014, Prakash Rampatsingh ("Rampatsingh")[2] was found, in a wooded area of Carroll County, dead from a single gunshot wound to the head. Detective Becker of the Maryland State Police ("MSP"), who was investigating the homicide of

[1] The Appellant's preferred last name is Goodwin, rather than Johnson. As such, we use the former in this opinion.

[2] Prakash Rampatsingh is also known as Joey Rampatsingh.

Rampatsingh, interviewed Goodwin because her name was found on a rent receipt located on the body of the victim. In the interview, Goodwin advised that she and her partner, Rivers, rented a home in Baltimore from Rampatsingh and admitted to seeing him on the date in question, June 24, 2014, to pay him rent money. Goodwin also admitted that she and Rivers rode with Rampatsingh in his truck that day to go look at a Jaguar automobile that Rampatsingh had offered to sell to Goodwin. On the way, they stopped at a gas station to get gas, which is when Rampatsingh advised there something was wrong with the car he proposed to sell. Goodwin then changed her mind about purchasing the car, and she advised that Rampatsingh took them home. Goodwin denied that she or Rivers had any involvement in Rampatsingh's death. The case remained unsolved for eight years.

During another interview in 2022, after Goodwin's arrest, Goodwin told Detective Dubas of MSP a different story. Goodwin advised that when she arrived home on June 24, 2014, Rivers and Rampatsingh were already at the house, in her basement. Rivers told Goodwin that she was going to join them to collect payment that Rampatsingh owed Rivers from a bet. Rivers directed Goodwin to drive Rampatsingh's truck to an ATM, where Rampatsingh withdrew $500 in cash. This visit to the ATM was left out of her story when interviewed by Detective Becker in 2014.

While omitted from her story as told to Detective Dubas in 2022, video footage obtained by MSP showed Goodwin stopped at an Exxon gas station prior to stopping at the ATM. The video shows Goodwin using Rampatsingh's card and PIN to purchase gas. She also pumped the gas into the truck. While this evidence is consistent with the story

Goodwin told in 2014, she does not recall stopping at a gas station when questioned about it in the 2022 interview.

After stopping at the ATM, they drove to Rampatsingh's home in Pennsylvania. Detectives learned later that Rampatsingh had $40,000 in his freezer a week before his death. However, that money was missing when MSP searched Rampatsingh's home after his death. Goodwin advised that she remained in the truck while Rivers and Rampatsingh entered the home. When they returned to the vehicle, Rampatsingh's hands appeared to be restrained, according to Goodwin.

After leaving Rampatsingh's home and while driving back to Baltimore, Rivers instructed Goodwin to pull over on the side of the road in a wooded area of Carroll County. Goodwin advised she was reluctant stop but eventually did. Rivers and Rampatsingh exited the vehicle and walked off into a wooded area. Goodwin stayed in the truck and shortly thereafter heard a "boom" followed by Rivers returning to the truck alone. Rivers instructed Goodwin to drive, and they returned home without Rampatsingh.

Upon arrival at the home, Rivers asked Goodwin's mother to follow him with her vehicle while he was in Rampatsingh's truck, but she was not feeling well and declined. Rivers left the house with the keys to Goodwin's mother's vehicle, leading Goodwin to believe Rivers had found someone to accompany him. Two days later, on June 26, 2014, Rampatsingh's truck was located near Washington, D.C.

Goodwin told Detective Dubas that she deposited the money from Rampatsingh at the bank the day after the incident on June 25, 2014. She further admitted that she and

Rivers never spoke about what happened that night, but she believed that Rivers killed Rampatsingh. When asked why she didn't disclose this information in 2014, Goodwin explained that she was concerned about the safety of her kids, mother, and herself. Goodwin also relied on Rivers to pay the rent at the time. Goodwin maintained that she had no idea what Rivers planned to do that fateful day.

Additional facts will be included in the discussion as they become relevant.

II. DISCUSSION

a. Discharge of Counsel and Maryland Rule 4-215(e)

Goodwin first argues that the trial court erred in failing to comply with Rule 4-215(e) on discharging counsel, when it failed to make a finding as to whether her reasons for wanting to discharge counsel were meritorious. According to Goodwin, the trial court also erred in asking her to postpone her decision to discharge counsel, thereby deferring a ruling on the matter. In contrast, the State contends that the trial court properly addressed Goodwin's request to discharge counsel by implicitly finding that her reasons lacked merit, and thereafter, Goodwin withdrew her request to discharge counsel.

Criminal defendants have a right to counsel as guaranteed by the Sixth Amendment of the United States Constitution. U.S. Const. amend. VI.[3] The United States Supreme Court recognized that the Sixth Amendment also implicitly guarantees a "correlative right

[3] The Sixth Amendment reads, in pertinent part: "In all criminal prosecutions, the accused shall enjoy the right [...] to have the Assistance of Counsel for his defence." U.S. Const. amend. VI. Article 21 of the Maryland Declaration of Rights also guarantees "[t]hat in all criminal prosecutions, every man hath a right [...] to be allowed counsel [...]" Md. Const. Decl. of Rts. art. 21.

to dispense with a lawyer's help." *Adams v. United States ex. Rel McCann*, 317 U.S. 269, 279 (1942). Rule 4-215(e) governs the procedure that Maryland trial courts must follow when a criminal defendant indicates a desire to discharge counsel. The Rule instructs:

> If a defendant requests permission to discharge an attorney whose appearance has been entered, the court shall permit the defendant to explain the reasons for the request. If the court finds that there is a meritorious reason for the defendant's request, the court shall permit the discharge of counsel; continue the action if necessary; and advise the defendant that if new counsel does not enter an appearance by the next scheduled trial date, the action will proceed to trial with the defendant unrepresented by counsel. If the court finds no meritorious reason for the defendant's request, the court may not permit the discharge of counsel without first informing the defendant that the trial will proceed as scheduled with the defendant unrepresented by counsel if the defendant discharges counsel and does not have new counsel. If the court permits the defendant to discharge counsel, it shall comply with subsections (a)(1)-(4) of this Rule if the docket or file does not reflect prior compliance.

Md. Rule 4-215(e).

In sum, there are three steps to Rule 4-215(e). First, the court must inquire as to the defendant's reasons for wanting to discharge counsel. *Dykes v. State*, 444 Md. 642, 652 (2015). Secondly, the court must determine whether the defendant's reasons are meritorious or for "good cause." *Id*. Last, the court must advise the defendant and take certain action, which depends on whether the court found good cause for discharging counsel. *Id*. If the court found merit, the court may discharge counsel and postpone the case, if necessary, after advising the defendant that if they do not obtain new counsel, the case will continue with the defendant unrepresented. *Id*. If the court found a lack of merit in the defendant's reasoning, before the court can discharge counsel, it must advise the

defendant that the case will proceed as scheduled without postponement, and that the defendant will be unrepresented if they do not have substitute counsel. *Id*. at 653. If the court discharges counsel, with or without merit, the court must ensure compliance with the requirements and advisements of Rule 4-215(a)(1)-(4), which states that the court shall:

> (1) Make certain that the defendant has received a copy of the charging document containing notice as to the right to counsel.
>
> (2) Inform the defendant of the right to counsel and of the importance of assistance of counsel.
>
> (3) Advise the defendant of the nature of the charges in the charging document, and the allowable penalties, including mandatory penalties, if any.
>
> (4) Conduct a waiver inquiry pursuant to section (b) of this Rule if the defendant indicates a desire to waive counsel.

Md. Rule 4-215(a)(1)-(4).

Strict compliance with Rule 4-215 is required and failure to do so constitutes a reversible error. *Hargett v. State*, 248 Md. App. 492, 502–03 (2020). Because interpretations of constitutional rights and the Maryland Rules are classified as questions of law, we review de novo whether a trial court has complied with Rule 4-215. *State v. Graves*, 447 Md. 230, 240 (2016).

Rule 4-215(e) is triggered when the trial court is put on notice that the defendant may have a desire to discharge counsel. "Any statement that would reasonably apprise a court of defendant's wish to discharge counsel" will suffice. *Holt v. State*, 236 Md. App. 604, 616 (2018) (quoting *State v. Davis*, 415 Md. 22, 32 (2010)). An "explicit request to

discharge" is not necessary, as any indication of "dissatisfaction with counsel" is enough to invoke the rigors of Rule 4-215(e). *State v. Hardy*, 415 Md. 612, 623 (2010).

In the case before us, Goodwin argues, and the State does not contest, that her statements to the court at the pre-trial status conference on July 7, 2022, triggered a Rule 4-215(e) inquiry. Goodwin told the court:

> I do not want to be represented by Tom Nugent or the Public Defender's Office at this point. I will appoint myself as my attorney. They are not communicating with me. They are not giving me what I have requested. They are not – I just do not want their services.

We agree that this statement expresses a dissatisfaction with counsel and a desire to discharge counsel, and therefore, is sufficient to invoke a Rule 4-215(e) inquiry. *See Hargett*, 248 Md. App. at 498 (defendant's statement, "Your Honor, I'm trying to waive my counsel" triggered Rule 4-215(e)); *Davis*, 415 Md. at 27 (defense counsel's statement to the court, "[defendant] told me he didn't like my evaluation. Wanted a jury trial and new counsel" served as an adequate request to discharge counsel); *State v. Campbell*, 385 Md. 616, 623 (2005) (*Campbell I*) (defendant's statement, "I don't like this man as my representative. He ain't [sic] have my best interest at heart" qualified as a request to discharge counsel.).

The first step of Rule 4-215(e) places "an affirmative duty on the circuit court to provide a forum in which the defendant can explain the reasons" for their request to discharge counsel. *Graves*, 447 Md. at 242 (citations omitted). Through its inquiry, the court must determine whether the defendant is "truly dissatisfied" with counsel and whether the defendant is genuinely committed to discharging counsel. *See Davis*, 415 Md.

at 35 ("Even if the court was conflicted as to whether Davis was truly dissatisfied with present counsel . . . it could have easily eliminated its uncertainty by questioning Davis himself about the reasons for his attorney's statement."). Uncovering the reasons for a defendant's request to discharge counsel is important because those reasons dictate how the court must proceed in the next steps under the Rule. *Graves*, 447 Md. at 242.

Beginning the first step of its inquiry, the trial court here asked Goodwin for clarification regarding her request and the following exchange occurred:

> THE COURT: You don't want anyone from the Public Defender's Office representing you?
>
> [GOODWIN]: I do not want Todd Nugent.
>
> THE COURT: Okay. Well, there are two lawyers here from the Public Defender's Office, one of whom is Mr. Nugent, the other of whom is Mr. McNulty.
>
> [GOODWIN]: I've only met McNulty one time. I haven't had any conversations with him prior to that one time meeting him, and I am not getting my questions answered. I am not knowing what's going on. My life is at stake here, and I need someone who has my best interest. And right now I do not feel like they have my best interest. They have had the discovery for a month and a half, and I have asked repeatedly to have my discovery. And I am just getting pieces and no communication. Every time I put in a request for communication or for a visit, I'm not getting anything, and I've put those requests in writing and through the officers at the jail.
>
> THE COURT: Okay, let me -- before I ask you some more questions, I want you to understand that -- if I understand you correctly, you are asking the Court to discharge the Public Defender's Office as your attorneys. Is that right?
>
> [GOODWIN]: Todd Nugent.
>
> THE COURT: Todd Nugent?

[GOODWIN]: Yes.

THE COURT: Okay. You are not asking specifically that the Court discharge Mr. McNulty as your attorney?

[GOODWIN]: No.

MR. McNULTY: The problem, Your Honor, is our agency and then in the courts to a largest respect have always considered discharging one as discharging both. Quite honestly, this is a case that requires co-counsel, and I am not sure anybody else in the office is available at this time. I am in fact second chair in this case. And otherwise, I think we are estopped from responding to the Defendant's allegations to a large extent otherwise. So that is the dilemma we have for our -- from our office.

THE COURT: Okay. So, Ms. Goodwin, first of all, evidently you qualified for representation by the Public Defender's Office. When I say "qualify," I mean you are financially eligible for their services. And the Office of the Public Defender designated Mr. Nugent and Mr. McNulty to represent you in this case.

As you probably just heard Mr. McNulty advise the Court, because of the serious nature of the charges -- among other things, you are facing first-degree murder charges in this case and other charges for which the maximum penalty is life imprisonment without the possibility of parole. Do you understand that?

[GOODWIN]: Yes.

THE COURT: Okay. The Public Defender's Office has no obligation to appoint an attorney of your choosing. The Public Defender's Office in its discretion can appoint whichever attorney or attorneys it deems fit or appropriate to represent an individual who qualifies for their services. Do you understand that?

[GOODWIN]: Yes.

THE COURT: If you -- the Public Defender's Office, as I understand their position today, is taking the position that if you are asking for one of their lawyers to be discharged, that is the same thing as asking for all of their lawyers to be discharged.

> [GOODWIN]: I understand.
>
> THE COURT: Okay. You do not want to represent yourself in this case, ma'am. I am telling you you should not represent yourself in this case. Do you understand that?
>
> [GOODWIN]: I understand what you're saying [. . .] and I agree with what you are saying.

To comply with the first step of Rule 4-215(e), the record "must be sufficient to reflect that the court actually considered the reasons given by the defendant." *State v. Taylor*, 431 Md. 615, 708 (2013) (quoting *Pinkney v. State*, 427 Md. 77, 93-94 (2021)); *see also Graves*, 447 Md. at 243 ("The trial judge must give much more than a cursory consideration of the defendant's explanation.") (quoting *Johnson v. State*, 355 Md. 410, 446 (1999)). We are persuaded that the court here "actually considered" Goodwin's reasons, as demonstrated by its summarization of Goodwin's concerns.

> THE COURT: I know that you are disappointed at this point, it sounds like, in the level of communication that you have had with the Public Defender's Office, but I can assure that you Mr. Nugent and Mr. McNulty are experienced criminal defense attorneys. They know what they are doing. They will be prepared for trial. They will communicate with you and exchange information with you and go over with you preparation of the defense.
>
> It may seem to you -- and I am not dismissing your perspective at the moment that you don't feel like the Public Defender's Office has done enough to engage with you in this case. But I can't emphasize strongly enough that you are making a big mistake if you discharge the Public Defender's Office because they don't have an obligation to appoint somebody else to represent you. So unless you have money to hire a private attorney, you may wind up having to represent yourself. Do you understand?
>
> [GOODWIN]: I understand.

The court continued its investigation into whether Goodwin "truly" wanted to discharge counsel and Goodwin expanded on her reasoning for the request.

> THE COURT: So is it still your intention today or your decision today to discharge the Public Defender's Office as your attorneys?
>
> [GOODWIN]: Your Honor, at this point I feel like my -- that's what I have to do. I can't even get Nugent to address me by my correct name, and I can't get respect from him. And, and I have nothing been -- I have been nothing but respectful. And just like you said, it's my life at stake here.
>
> THE COURT: It is.
>
> [GOODWIN]: It's my life at stake here, and how can I put my life in the hands of someone else that don't even show me respect or helping me? I've never -- I don't have a criminal record. I have never been through anything of this nature.
>
> So if I'm asking questions -- and I have been denied my right to go to the law library. I have been denied my right to get my information in a timely manner. I have -- I am not getting no questions that I ask answered. It's like he's in a fence like with me asking questions. I'm going to ask questions, especially when it's my life at stake. It's not his.
>
> So I need that, and if I cannot have that, then I'm going to take my chances with me and God because I don't know what else to do. And, no, I do not have any money right now to get an attorney. If I did, I would definitely have done that so already. And I do understand everything that you're saying, and I agree with you that I need representation. But I also need representation that has my best interest, and, and I don't feel like I have that.
>
> And I have not -- this is the only time I have been able to express what I'm saying. He didn't even give me a chance or opportunity to do that in a respectful manner. So I am just thanking you for letting me express this in this moment.

We conclude that the trial court here provided adequate opportunity for Goodwin to explain the reasons for her dissatisfaction and request to discharge counsel, in compliance with the first step of Rule 4-215(e).

We briefly skip to the last step of Rule 4-215(e), which states, "[i]f the court permits the defendant to discharge counsel, it shall comply with subsections (a)(1)-(4) of this Rule if the docket or file does not reflect prior compliance." Md. Rule 4-215(e). Subsection (a)(2) requires the court to "[i]nform the defendant of the right to counsel and the importance of assistance of counsel" before the court can discharge counsel. Md. Rule 4-215(a)(2). While this advisement is given to Goodwin out of order, and ultimately is not necessary because counsel was not discharged, nevertheless the trial court did inform Goodwin of the importance of assistance of counsel.[4]

> THE COURT: Sure. I want to make sure that you are protected, ma'am. I want to make sure that you get a fair trial in this case. I think the best way for you to get a fair trial is to be represented by an attorney or attorneys. I have seen too many cases where individuals with no legal training whatsoever try to represent themselves and go up against prosecutors like Ms. Brady and Ms. Johnson, who are very experienced, accomplished prosecutors.
>
> And it won't be a fair trial in my opinion if you, without any legal training whatsoever, try to -- you are going to be trying to figure out the legal system and what you can get into evidence and what you can't get into evidence, what you can keep out of evidence, what you -- what arguments you might be able to make to the jury. It is a very complicated system,

[4] *See Broadwater v. State*, 171 Md. App. 297, 314 (2006) (holding that Rule 4-215 advisements are not required to be given in a "single omnibus hearing at which a single judge on a single occasion satisfies each and every one of Rule 4-215(a)'s requirements."). From this holding, it follows that the advisements need not be given in order to be in compliance with the Rule.

> and it is a very complicated process for somebody such as yourself, Ms. Goodwin, with no legal experience or training.
>
> You said you had no criminal record, so I am assuming you have never represented yourself in court, had to try a case, let alone try a case before a jury. It is a very difficult thing to do. It is a very difficult thing for lawyers to do well. But these lawyers, these four lawyers in this courtroom, know what they are doing, and I really don't want to see anybody, including you, deprive them-self of a fair trial by dismissing their attorneys at this early stage.

The trial court continued to display that it thoroughly considered Goodwin's reasons for wanting to discharge counsel by reiterating her concerns. Moreover, while explaining to Goodwin the dangers of discharging counsel, the trial court endeavored to change her mind.

> [THE COURT]: Again, I am not ignoring what you have told me about your concerns about Mr. Nugent and Mr. McNulty. I would ask you and encourage you to give them the opportunity to demonstrate to you that they are invested in your case, they are invested in your defense, that they will, to the best of their abilities, represent you in this case.
>
> And I know that you have some misgivings at this point, but I have known Mr. McNulty and Mr. Nugent for a long time. I am sure that they will work with you to prepare the best defense that they believe is available for you in this case.
>
> I think you are -- I don't want to see you make a decision at this point which could have disastrous effects for you because if you discharge your attorneys now, there probably won't be another opportunity for you later in this process to get an attorney, okay, because among other things, the Public Defender's Office is not going to be required to appoint somebody else. They are not going to be required to have Mr. Nugent or Mr. McNulty get back into the case.
>
> And you don't -- in all fairness to Mr. McNulty, I know your criticism at this point is directed toward Mr. Nugent. But there is a reason why the Public Defender's Office appoints two lawyers in a case -- in what we used to call a capital case. But in a first-degree murder case there is a

> reason why two lawyers are appointed, because there is a lot of work that needs to be done to prepare a defense in a case like this. And it is a lot for just one -- you see that the State's Attorney's Office has two prosecutors, right?
>
> [GOODWIN]: Yes.
>
> THE COURT: Because for the State, they know that there is a lot of work involved in this case. And for the defense, they want a level playing field and they want the opportunity to provide you with the best defense possible.

The trial court then formally asked Goodwin if she would be willing to withdraw or "hold off" on her request to discharge counsel and give her attorneys another chance. However, the court also advised Goodwin that she could renew her request to discharge counsel in the future.

> [THE COURT]: So I would ask you to hold off on any decision today to discharge your attorneys. You can certainly raise that in the future if you want to. You can file a request in writing with the Court. You can send a letter to the Court or through your attorneys. You can ask that the Court address this again, and we will hold a hearing on that.
>
> And if that is still what you want to do at that point in time and the Court is satisfied that you understand what you are doing, you are making a knowing, intelligent and voluntary decision -- you know, ultimately people have a -- you have the right to represent yourself if you want to.
>
> *But I would ask you to postpone any decision on having me discharge your attorneys at this point. Is that something you would be willing to do at this -- at least at this stage?*
>
> *[GOODWIN]: Yes, Your Honor.*
>
> THE COURT: Okay, all right. Again, if you are not -- if you remain dissatisfied with your attorneys, you can bring that to the attention of the Court, okay, either through your attorneys, who would file a motion on your behalf, or you can write directly to the Court. And then the Court will conduct a hearing and, you know, at that time address your concerns

> and make a decision as to whether or not the Court is going to discharge Counsel, okay?
>
> [GOODWIN]: Okay.
>
> *THE COURT: All right. But for now, I will defer any ruling on that with your agreement that you are not asking the Court to make a ruling on that at this time. Fair enough?*
>
> *[GOODWIN]: Yes, Your Honor.*

(emphasis added).

At this point in the dialogue, we are persuaded that Goodwin took the court's advice and withdrew her request to discharge counsel. As such, the trial court did not err in terminating its Rule 4-215(e) inquiry. In *Holt v. State*, this Court acknowledged that a defendant's request to discharge counsel could be withdrawn, negating the need for the Rule 4-215(e) inquiry. 236 Md. App. at 616–19.

In *Holt*, defense counsel filed a motion to remove his appearance and attached the defendant's hand-written letter, which stated "I have decided that I no longer wish you to represent me and I am going to have to discharge you . . . please withdraw your appearance at once." *Id*. at 612. The letter undoubtedly triggered Rule 4-215(e). However, at the hearing to discuss the motion, defense counsel informed the court that "[the defendant] has advised to withdraw my application to withdraw from the case, and he would like me to represent him, and I plan on representing him tomorrow morning." *Id*. at 614. The trial court never conducted a Rule 4-215(e) inquiry. We concluded that the Rule 4-215(e) inquiry is not required when a defendant has changed their mind and no longer has a

"present intent to seek a different legal advisor." *Holt*, 236 Md. App. at 616 (quoting *Davis*, 415 Md. at 33).

We compared the facts in *Holt* to those in *Garner v. State*, noting, "here, as in *Garner*, the 'last word' to the trial court indicated that any desire of appellant to discharge counsel had passed." *Holt*, 236 Md. App. at 619. Likewise, Goodwin changed her mind, no longer possessing a "present intent" to discharge counsel, when her "last word" to the court was to hold off on her decision.

In *Garner*, the defendant clearly expressed a desire to discharge counsel. Because trial was proceeding that day, the court asked the defendant, "[w]ould you like me to have [the attorney] stay to be—sit next to you at the trial table to be on call if you need his help during trial?" 414 Md. 372, 377–78 (2010). After a brief exchange with the court, the defendant ultimately replied, "[h]e can sit there." *Id*. at 378. This Court held, and our Supreme Court affirmed, that counsel "was never discharged" and therefore, the remaining requirements of Rule 4-215 "never came into play." *Id*. at 389; *see also Garner v. State*, 183 Md. App. 122, 132 (2008).

The next step in the inquiry would have been for the court to determine whether Goodwin's reasons were meritorious. We disagree with the State's argument that the trial court found, albeit implicitly, that Goodwin's reasons to discharge counsel were without merit. In this conclusion, we are not saying that we agree with Goodwin that her reasons were meritorious, but rather we are concluding that the trial court made no finding as to the merits of her reasoning. As discussed *supra*, Goodwin withdrew her request to

discharge counsel prior to this second step in the court's inquiry, nullifying the need to continue the inquiry. Therefore, the trial court did not err in failing to find whether Goodwin's reasons to discharge counsel were meritorious.

Once Goodwin withdrew her request to discharge counsel, the court moved on to scheduling dates for the trial. Before concluding the hearing, the following exchange occurred:

> THE COURT: Okay. All right, is there any other matter that either the State or the defense wish to have addressed at this status conference?
>
> MR. McNULTY: From defense Counsel, I don't think so. Ms. Goodwin?
>
> THE DEFENDANT: No. I just want to thank Your Honor for hearing me out.
>
> THE COURT: It is my pleasure, ma'am. This is the most serious thing I am sure that has happened in your life and that you have to deal with at this time, so the Court wants to make sure that again it provides you with every opportunity to get a fair trial.
>
> I am sure that Mr. Nugent and Mr. McNulty will be in touch with you to prepare your defense and to prepare for trial, okay? So they will keep the lines of communication open with you, I am sure. I know it is not difficult [sic] when you are sitting over at the detention center and, you know, days go by and you haven't heard anything. But I can assure that these attorneys will to the best of their ability represent you in this case, okay?
>
> THE DEFENDANT: Okay. Thank you.
>
> THE COURT: Okay. All right, that will conclude the status conference.

The trial court gave Goodwin another opportunity to express her concerns prior to concluding the hearing. Goodwin did not renew her request to discharge counsel, but rather thanked the court for "hearing [her] out."

Goodwin cites *Williams v. State* and argues that "[i]t would be illogical to hold that a court may allow a defendant's expression of a present desire to discharge counsel to moulder into a past desire by neglecting, overlooking, or otherwise failing to address promptly the defendant's clear request." 435 Md. 474, 491 (2013) (cleaned up). However, the facts in *Williams* defer greatly from the facts here. In *Williams*, the defendant mailed a letter to the court requesting new representation and, while the letter was date-stamped by the clerk, there was "utterly no response" from the court, defense counsel, or the State about Williams's letter. *Id*. at 479–80. Our Supreme Court held that the trial court erred in failing to conduct a Rule 4-215 inquiry in light of Williams's letter. *Id*. at 494.

However, the trial court here neither neglected, overlooked, nor failed to address Goodwin's request. The trial court addressed Goodwin's request, allowed Goodwin to explain her reasoning, and began its inquiry. Whereas the Court in *Williams* never addressed the defendant's request. Only when Goodwin withdrew her request did the trial court cease its inquiry. We distinguish this case from *Williams*.

The purpose of Rule 4-215 is to "protect the defendant's fundamental rights involved, to secure simplicity in procedure and to promote fairness in administration." *Davis*, 415 Md. at 31 (quoting *Gonzales v. State*, 408 Md. 515, 532 (2009)). The Rule ensures that defendants make decisions related to representation knowingly and intelligently, with "eyes open." *Brye v. State*, 410 Md. 623, 635 (quoting *Adams*, 317 U.S. at 279); *see also Garner*, 183 Md. App. at 129 (without the advisements of Rule 4-215 "it could hardly be said that a defendant makes a knowing and voluntary decision to waive or

discharge counsel with eyes open or with full knowledge of the ramifications of the choice.") (citations omitted). By warning defendants of the importance of counsel and the allowable penalties of the charges, *inter alia*, the Rule presumes that some defendants will withdraw their request to waive or discharge counsel after hearing and considering the advisements. We are convinced that is what happened here.

We conclude that the trial court did not err in failing to comply with Rule 4-215(e) because, upon Goodwin's withdrawal of her request to discharge counsel, compliance with the Rule was no longer required. As such, the trial court was not required to make a finding on whether Goodwin's reasons for wanting to discharge counsel were meritorious.

b. Admissibility of Opinions on Credibility

Next, Goodwin argues that the trial court abused its discretion in permitting Detectives Becker and Dubas to opine on her and Rivers's credibility during their testimony because the detectives' opinions were irrelevant and therefore inadmissible. The State appears to concede that the detectives' testimony regarding Goodwin's credibility was admitted in error. However, the State argues that because the testimony was cumulative to other evidence admitted at trial, the error was harmless and thus, reversal of the conviction is not required. Detective Becker's testimony in question is as follows:

> [STATE]: Okay. Do you recall whether or not you felt the Defendant was being truthful with you at the time of that interview or that conversation?
>
> [DEFENSE]: Objection.
>
> THE COURT: Overruled.

[DETECTIVE BECKER]: At that time, I can't say that we felt that there was dishonest but as the case evolved, as new information was learned that was reason for us to go back and do another follow up interview.

[STATE]: Did her story make sense on June 29th when she told it to you?

[DEFENSE]: Objection.

THE COURT: Well it is leading, so I will sustain.

[STATE]: Court's indulgence. Did you -- at the time of the end of June interview, do you believe she told you the full story?

[DEFENSE]: Objection.

THE COURT: Sustained.

Detective Dubas's testimony in question is as follows:

[STATE]: Okay. After speaking with Charity and Dwayne on June 29th, could you form an opinion as to whether or not they were being truthful with you?

[. . .]

[DEFENSE]: Objection.

THE COURT: I will sustain.

[STATE]: Based on your observations of the Defendants and the information that you knew at that point, did you believe what Dwayne Rivers told you happened?

[DEFENSE]: I would still object, Your Honor.

THE COURT: Overruled.

[DETECTIVE DUBAS]: Not at that point. We -- portions of the story were legitimate it seemed but it was just the portion of everything that actually had happened wasn't making sense what they told us or what he told me as to what we knew already at that point.

"[A]ll relevant evidence is admissible" and "[e]vidence that is not relevant is not admissible."[5] Md. Rule 5-402. Evidence is relevant if it has "any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would without the evidence." Md. Rule 5-401. This Court has consistently held that "the investigating officers' opinion on the truthfulness of an accused's statements are inadmissible under Maryland Rule 5-401[,]" because they are irrelevant. *Walter v. State*, 239 Md. App. 168, 188 (2018) (quoting *Casey v. State*, 124 Md. App. 331, 339 (1999)); *see also Crawford v. State*, 285 Md. 431 (1979) (trial court erred in admitting police interrogation that included assertions of disbelief).

Our standard of review for the admissibility of evidence is two-fold:

> First, we consider whether the evidence is legally relevant, a conclusion of law which we review de novo. . . If we conclude that the challenged evidence meets this definition, we then determine whether the court nonetheless abused its discretion by admitting relevant evidence which should have been excluded because its probative value is outweighed by the danger of unfair prejudice, or other countervailing concerns as outlined in Maryland Rule 5-403.[6]

Washington Metro. Area Transit Auth. v. Washington, 210 Md. App. 439, 451 (2013) (internal citations and quotations omitted).

[5] "Except as otherwise provided by constitutions, statutes, or these rules, or by decisional law not inconsistent with these rules..." Md. Rule 5-402.

[6] Maryland Rule 5-403 reads: "Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence."

However, whether evidence is relevant is "a low bar." *State v. Simms*, 420 Md. 705, 727 (2011). In *Tyner v. State*, co-defendant and State's witness, Latosca McCullough ("McCullough"), agreed to testify truthfully against her co-defendants, the Tyner brothers, and in exchange, the State would drop her murder charge. 417 Md. 611, 613 (2011). At trial, Detective Bradley testified that McCullough gave a "taped statement to tell the truth" pursuant to her deal with the State. *Id.* at 619. Defense counsel objected, but the trial court overruled the objection. Detective Bradley's testimony continued:

> [Prosecutor]: And when you say to tell the truth, what was that in reference to?
>
> [[Defense] counsel]: Objection.
>
> [The Court]: Overruled.
>
> [Bradley]: To tell the truth as to what happened on that night that [[the victim]] was shot and killed, who was involved and umm, the people that was involved and what happened after the murder and, and up until I picked her up.
>
> [Prosecutor]: And if you know, was that part of her agreement with the State?
>
> [Bradley]: Yes, sir.

Id. Our Supreme Court did not find error in the admission of Detective Bradley's testimony, because the purpose of the testimony was to show "'why' McCullough gave the taped statement and whether 'tell[ing] the truth' was part of that agreement[,]" not for the purpose of showing that Detective Bradley believed McCullough was telling the truth.

In this case, the testimony about Goodwin's credibility is elicited for its relevancy to the reason why the detectives continued to investigate and question Goodwin, not for

the detectives' actual opinion of Goodwin's credibility. This testimony also helps to explain the detectives' tactics used during their interview with Goodwin. The State illustrated in its closing argument:

> [Defense counsel] mentioned that in Sergeant Becker's interview in 2014, Sergeant Becker says, "I believe you. I believe you didn't do it," and, "We don't think you – you were surprised."
>
> [. . .]
>
> [We] -- made our point of bringing out from the Detective that they use techniques, they manipulate, they do all kinds of different things to try to get people -- get information from people.
>
> So do you really think that Becker believed the story she was being told. "Oh yeah, I don't think you have anything to do with it." No. She was trying to get more information out of her.
>
> The fact that Becker during the interview says, "Oh, just trust me. You can tell me. I know you weren't involved," that is not proof that Detective Becker believed her story. You saw the interview.
>
> She went at her hard, accusing her of not telling the truth. Trying to give her an out. "Tell me you were there so we can help you," because at that point, she was denying being involved in it at all.
>
> They weren't trying to get the fine details at that point. They were just trying to get her to admit what they already know, that she was with him when she said she wasn't.

Similar to *Tyner*, we conclude that the trial court here did not err in admitting the detectives' testimony regarding Goodwin's credibility because such testimony was relevant to explain the detectives' tactics during the interview and why they continued to question and investigate Goodwin. The testimony was not offered to illustrate the detectives' actual opinion of Goodwin's credibility.

i. Harmless Error

Assuming, *arguendo*, that the detectives' testimony was admitted in error, we agree with the State that it was a harmless error and thus, reversal of the conviction is not required. When the trial court commits such an error, the conviction must be reversed unless the reviewing court determines, upon its own independent review of the record, that the error was harmless beyond a reasonable doubt. *Dorsey v. State*, 276 Md. 638, 659 (1976). We must be "satisfied that there is no reasonable possibility that the evidence complained of – whether erroneously admitted or excluded – may have contributed to the rendition of the guilty verdict." *Walter*, 239 Md. App. at 191–92 (quoting *Dorsey*, 276 Md. at 659).

In determining whether an error is harmless, we consider the "overall strength" of the State's case. *McClurkin v. State*, 222 Md. App. 461, 484 (2015) (citing *Delaware v. Van Arsdall*, 475 U.S. 673 (1986)). We then compare that to the significance or cumulative nature of the erroneously admitted evidence. *Dorsey*, 276 Md. at 650 (courts deeming error harmless found "the properly admitted evidence to have been 'so overwhelming,' and the prejudicial effect of the erroneously admitted evidence so insignificant by comparison, or to have been cumulative. . ."). Cumulative evidence "tends to prove the same point as other evidence presented during the trial." *Dove v. State*, 415 Md. 727, 744 (2010). Other factors to consider include, "the importance of the witness' testimony . . . the presence or absence of corroborating or contradictory testimony on material points, [and] the extent of cross-examination otherwise permitted. . ." *Van Arsdall*, 475 U.S. at 673.

Regarding the strength of the State's case, Goodwin claims that there were no eyewitnesses and no physical evidence, and that the case hinged on the credibility of her story as told to the detectives in her interviews. As such, according to Goodwin, the admission of the detectives' opinion on her credibility cannot be a harmless error. *See Dionas v. State*, 436 Md. 97, 110 (2013) ("[W]here credibility is an issue and, thus, the jury's assessment of who is telling the truth is critical, an error affecting the jury's ability to assess a witness's credibility is not harmless error.").

However, from a review of the trial record, we conclude that Goodwin's argument here is inaccurate. The State's evidence against Goodwin, in addition to her interviews with detectives where she implicates herself,[7] includes a rent receipt with her name on it and dated the day the victim died, June 24, 2014, that was located on the victim's body, a video of Goodwin driving the victim's truck up to an Exxon gas station, where she uses the victim's card and PIN to purchase gas and pumps the gas herself, a video of Goodwin driving the victim's truck up to an ATM, where the victim leans across Goodwin, withdraws $500, and hands the cash to someone in the backseat of the truck, a video of Goodwin at the bank the next day, June 25, 2014, with cash in her hand that she appears to deposit, *inter alia*. The State has other evidence to prove the charges against Goodwin; this case does not hinge on Goodwin's credibility alone.

[7] Although Goodwin tells Detective Dubas in her 2022 interview that she did not know what was going on and that she was just following Rivers's orders.

Next, we analyze the significance or cumulative nature of the detectives' testimony regarding Goodwin's credibility. "The cumulative nature of erroneously admitted evidence has long been recognized as an important factor in considering whether, beyond a reasonable doubt, the trial error at issue in no way influenced the verdict." *Gross v. State*, 481 Md. 233, 260 (2022) (the Supreme Court also reaffirmed this approach to the harmless error analysis). While Goodwin relies on *Soares v. State*, which warns against the reliance on "cumulative" evidence alone in a harmless error analysis, we distinguish the case before us from *Soares*. 248 Md. App. 395, 418–22 (2020) ("Reliance on the CUMULATIVE status of the evidence is a common mistake of the State when urging a finding of harmless error."). The evidence in *Soares* that was erroneously admitted was the defendant's confession of guilt obtained in violation of his constitutional right to right silent. *Id.* at 418. The State in *Soares* argued that the confession was cumulative to other evidence admitted, such as a "text message appearing to show Soares confirming that he sold crack cocaine." *Id.* We noted in Soares, "[t]he erroneously admitted evidence being subjected to harmless error review generally tends to be a peripheral or tangential nature. It is rarely, as in this case, the 'smoking gun.'" *Id.* at 421. Here, we conclude that the detectives' testimony regarding Goodwin's credibility is a far cry from the "smoking gun" of the defendant's confession in *Soares*.

The testimony in question refers to Goodwin's 2014 interviews, in which Goodwin advised that she and Rivers rented a home from the victim and admitted to seeing him on the date in question, June 24, 2014, to pay him rent money. However, Goodwin denied that

she nor Rivers had any involvement in the murder. A recording of the interview from 2014 between Goodwin and Detective Becker was admitted into evidence and played for the jury, without objection from the defense. In that interview, Detective Becker expresses, several times, that she does not believe Goodwin's story. Detective Becker explicitly says, "Charity, you are lying" and "I am not saying you are the one who killed him. I am just saying there [are] holes in your story that aren't truthful." These statements, among others in the interview, are cumulative to Detective Becker's testimony at trial. Moreover, Detective Becker's testimony at trial – "[a]t that time, I can't say that we felt that there was dishonest but as the case evolved, as new information was learned that was reason for us to go back and do another follow up interview" – is much less significant and less damaging to Goodwin than the detectives' statements in the interview.

Goodwin's interview with Detective Dubas in 2022 was also admitted into evidence and played for the jury, without objection from the defense. In this interview, Goodwin tells a different story than the one told in 2014 to Detective Becker. This time, Goodwin admits to Detective Dubas that she was with Rivers when he killed Rampatsingh, but that she had no idea that is what was going to happen. Other details in her story change from 2014 to 2022 as well, as mentioned *supra*. Detective Dubas asked Goodwin why she didn't tell the detectives this story in the 2014 interview, indicating that her story in 2014 was

untruthful. Therefore, again, the detective's testimony is cumulative to and insignificant compared to both interviews that were admitted without objection.[8]

In *Gross v. State*, our Supreme Court held that an erroneously admitted video was harmless beyond a reasonable doubt due to the cumulative nature of the video to other evidence presented by the State. 481 Md. at 271. Gross was convicted by a jury on two counts of second-degree sexual offense and one count of sexual abuse of a minor by a household or family member. During trial, the State admitted into evidence several sources that illustrated the victim's story for the jury.

> At trial, the victim testified that, when she was in kindergarten and first grade, Petitioner made her perform oral sex on him on multiple occasions. In addition, the victim's biological grandmother testified at trial about the victim's initial disclosure of the abuse to her on June 27, 2015. The State also introduced a video recording of an interview the victim gave to a social worker on June 30, 2015, in which the victim reported the sexual abuse by Petitioner. Further, the State introduced the testimony of a child abuse pediatrician, who provided the jury with the account of the abuse that the victim gave her on July 8, 2015.

Id. at 236–37. While the defense did not object to the admission of these sources, it did object to a video, that was recorded immediately after the victim first disclosed the abuse to her grandmother, of the victim crying and repeating the allegations to her grandmother. This Court held that, although the video was erroneously admitted, "the error was harmless beyond a reasonable doubt because the video evidence was cumulative of other evidence

[8] The State points out that Detective Dubas's testimony references the credibility of Rivers rather than Goodwin, and therefore such testimony is insignificant and harmless to Goodwin. We agree.

through which the jury heard the victim's account of sexual abuse." *Id.* at 237. Our Supreme Court affirmed. *Id.* We conclude likewise in the case *sub judice*.

The discrepancies in Goodwin's stories are evident in the interviews. Through these interviews, the jury has sufficient evidence, without the detectives' testimony, to judge the credibility of Goodwin for themselves. *See Bohnert v. State*, 312 Md. 266, 279 (1988) (where a witness's opinion of another's truthfulness was "inadmissible as a matter of law because it . . . encroached on the jury's function to judge the credibility of the witnesses[.]"). Furthermore, the detectives' testimony was "unimportant in relation to everything else the jury considered on the issue in question." *Bellamy v. State*, 403 Md. 308, 332 (2008) (internal quotation marks and citations omitted). Due to the cumulative nature and insignificance of the detectives' testimony, we are "satisfied that there is no reasonable possibility" that the detectives' testimony "contributed to the rendition of the guilty verdict" here. *Walter*, 239 Md. App. at 191–92 (quoting *Dorsey*, 276 Md. at 659).

We conclude that the trial court here did not err in admitting the detectives' testimony regarding Goodwin's credibility because such testimony was relevant to explain the detectives' tactics during the interview and why they continued to question and investigate Goodwin. The testimony was not offered to illustrate the detectives' actual opinion of Goodwin's credibility. Assuming, *arguendo*, that the detectives' testimony was admitted in error, we agree with the State that it was a harmless error and thus, reversal of the conviction is not required. The detectives' testimony regarding Goodwin's credibility

was cumulative to and insignificant compared to other evidence in the State's case, and thus harmless beyond a reasonable doubt.

c. Life Sentence for Conspiracy

Last, Goodwin argues that her life sentence for conspiracy to commit first-degree murder is illegal because the verdict did not specify which crime she was found to have conspired to commit.[9] According to Goodwin, the rule of lenity[10] should apply and her sentence for conspiracy should not exceed the maximum sentence for the crime with the least penalty, which would be six months imprisonment, a $500 fine, or both for theft between $100 and $1,500. Md. Code Ann., Crim. Law §7-104(g)(2). The State counters that Goodwin's life sentence for conspiracy is legal because the maximum sentence for conspiracy relates to the most serious substantive charge, when multiple conspiracy counts are charged.

Whether a sentence "is or is not inherently illegal" is "quintessentially a question of law calling for de novo appellate review." *State v. Bratt*, 241 Md. App. 183, 190 (2019)

[9] We note that Goodwin did not object to the jury instructions nor the verdict sheet in relation to the conspiracy count, which raises a possible preservation issue. *See Rudder v. State*, 181 Md. App. 426, 458–66 (2008). However, we decline to address this point as this argument is not adequately briefed by the State, which only mentions Goodwin's failure to object in footnotes. *See Webster v. State*, 221 Md. App. 100, 133 (2015) ("[W]e question whether this argument was properly presented to us considering that, other than a brief citation to the doctrine, appellant has not adequately briefed the issue.").

[10] "Under the rule of lenity, a court confronted with an otherwise unresolvable ambiguity in a criminal statute that allows for two possible interpretations of the statute will opt for the construction that favors the defendant." *Oglesby v. State*, 441 Md. 673, 681 (2015).

(quoting *Carlini v. State*, 215 Md. App. 415 (2013)). As such, we review the legality of the sentence here without deference to the sentencing court. *Id.*

The jury found Goodwin guilty of "[c]onspiracy to commit first degree murder, kidnapping, armed robbery, theft, unlawful taking of a motor vehicle, and use of a firearm in the commission of a crime of violence," per the verdict sheet. Goodwin was also found guilty of all substantive charges. The circuit court sentenced Goodwin to life with parole on the conspiracy count, to be served consecutive to the sentence for first degree murder, which was also life with parole. The sentences for conspiracy to commit kidnapping, robbery, theft, unlawful taking of a motor vehicle, and firearm use in a crime of violence were merged into the sentence for conspiracy to commit first degree murder.

"The punishment of a person who is convicted of conspiracy may not exceed the maximum punishment for the crime that the person conspired to commit." Md. Code Ann., Crim. Law §1-202. In the event of a "blanket conspiracy charge… [in] a multi-count indictment," this Court held in *Rudder v. State* that:

> [i]f there is any doubt, however, as to which substantive count the conspiracy count relates, the presumption will be that it relates to the most serious count. In an omnibus conspiracy charge, as in all other conspiracy charges, the conspiratorial aspiration is inevitably for maximum success. The aim of the conspiracy, therefore, takes the form of the flagship crime, although it embraces, to be sure, all of the lesser included partial successes.

181 Md. App. 426, 453 (2008); *see also Campbell v. State*, 325 Md. 488, 507 n.11 (*Campbell II*) (1992) ("Where a defendant is found guilty of conspiracy to commit two crimes, the crime that carries the more severe penalty is the guideline offense for purposes

of sentencing."). The most serious count here is first degree murder, in which the maximum penalty is "imprisonment for life without the possibility of parole." Md. Code Ann., Crim. Law §2-201.

We are persuaded that the jury found Goodwin guilty of conspiracy to commit first degree murder because the jury also convicted Goodwin of the substantive crime of first-degree murder.[11] Our Supreme Court held similarly in *Campbell II*. 325 Md. at 504–08. In that case, the defendant was convicted by a jury of conspiracy to "violate the controlled dangerous substances law of the State of Maryland," as well as possession of cocaine with intent to distribute, simple possession of cocaine, and possession of paraphernalia. *Id.* at 491, 504. Like Goodwin here, Campbell argued that the language of the conspiracy charge did not "specify what crime or crimes were the object of the conspiracy." *Id.* at 492. However, the Supreme Court agreed with the State that "the jury, by finding the petitioner guilty of possession of cocaine with intent to distribute and possession of cocaine, did decide what the actual objects of the conspiracy were, and consequently, the trial court properly interpreted the verdict as a finding of guilty of a conspiracy to unlawfully sell cocaine." *Id.* at 506. In addition, the Court noted "[o]f the two [crimes], possession with intent to distribute carries the more severe penalty and, thus, is the guideline offense" for

[11] Similarly, we are convinced the jury found that Goodwin conspired to commit all the crimes with which she was charged – kidnapping, armed robbery, theft, unlawful taking of a motor vehicle, and use of a firearm in the commission of a crime of violence – for the same rationale.

purposes of sentencing, and held that the ten-year sentence without parole for conspiracy was legal. *Id.* at 507 n.11. Our conclusion in the case *sub judice* is the same.

Goodwin was convicted by the jury of first-degree murder. Since there was no evidence presented at trial to suggest that Goodwin was the one who personally murdered Rampatsingh, it is clear that the jury found Goodwin guilty of first-degree murder through accomplice liability.[12] To convict Goodwin of first degree murder by way of accomplice liability, the jury had to find that Goodwin "*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 she was ready, willing, and able to lend support, if needed." (emphasis added). Thus, the jury found that Goodwin had the *intent* to murder Rampatsingh.

The mens rea required for accomplice liability, is the same mens rea for the crime of conspiracy–*intent* that the crime be committed.[13] To convict Goodwin of conspiracy, the

[12] The jury was instructed on accomplice liability, which read:

> The defendant may be guilty of either or all of the crimes of first degree murder, kidnapping, armed robbery, use of a firearm in the commission of a crime of violence, theft, and unlawful taking of a motor vehicle as an accomplice, even though the defendant did not personally commit the acts that constitute that crime. In order to convict the defendant of any one of the crimes charged as an accomplice, the State must prove that the crime occurred and that 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 she was ready, willing, and able to lend support, if needed.

[13] The jury was instructed on conspiracy, which read, in pertinent part:

jury had to find that Goodwin "agreed with at least one other person to commit one or more of the crimes" charged (actus reus), and that she "entered into the agreement *with the intent that the one or more of the crimes* […] *be committed*" (mens rea). (emphasis added). As it relates to the mens rea element of conspiracy to commit first-degree murder, the jury

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> The defendant is charged with the crime of conspiracy to commit the crimes of first degree murder, kidnapping, armed robbery, use of a firearm in the commission of a crime of violence, theft, and unlawful taking of a motor vehicle. Conspiracy is an agreement between two or more persons to commit a crime. In order to convict the defendant of conspiracy, the State must prove:
>
> > (1) that the defendant agreed with at least one other person to commit one or more of the crimes of first degree murder, kidnapping, armed robbery, use of a firearm in the commission of a crime of violence, theft, or unlawful taking of a motor vehicle; and
> >
> > (2) that the defendant entered into the agreement with the intent that the one or more of the crimes of first degree murder, kidnapping, armed robbery, use of a firearm in the commission of a crime of violence, theft, or unlawful taking of a motor vehicle be committed.
>
> [. . .] It is not necessary that an agreement be formal or that the agreement be expressed by formal words, either written or spoken.
>
> If two or more persons act in what appears to be a coordinated manner to commit a crime, you may, but need not, infer an agreement by them to commit such a crime.
>
> [. . .]
>
> A person need not be physically present at the time and place of the commission of the crime in order to be a member of the conspiracy.

already found that Goodwin had the *intent* to make the murder happen by convicting her of the substantive crime.

Additionally, the jury found Goodwin guilty of first-degree murder on the basis that the murder was "willful, deliberate, and premeditated."[14] The jury was instructed that "[p]remeditated means that the defendant thought about the killing and that there was enough time before the killing, though it may only have been brief, for the defendant to consider the decision whether or not to kill and enough time to weigh the reasons for and against the choice." Therefore, the jury found that Goodwin thought about the killing, even if briefly, prior to the killing and continued to take part in the killing that Rivers undoubtedly planned.

Again, an agreement need not be formal or expressed by words, either written or spoken, to prove conspiracy. *Jones v. State*, 132 Md. App. 657, 660 (2000) A jury can infer the existence of an agreement when two or more persons act in a coordinated manner to commit a crime. *Id.* As a result of Goodwin and Rivers coordinated actions, the jury here could have inferred that they had an agreement, even if only briefly before the killing, to commit first-degree murder. By finding Goodwin guilty of first-degree murder on the basis that it was premeditated, the jury also found that the actus reus element of conspiracy to commit first-degree murder was met.

[14] The jury also found Goodwin guilty of first degree murder on the basis of "felony murder."

We are persuaded that the jury found Goodwin guilty of conspiring to commit all the crimes with which she was charged, including conspiracy to commit first-degree murder, which carries the most severe penalty. Therefore, Goodwin's sentence to life imprisonment with parole for conspiracy is not illegal.

III. CONCLUSION

We conclude that the trial court did not err in failing to comply with Rule 4-215(e) because upon Goodwin's withdrawal of her request to discharge counsel, further compliance with the Rule was no longer required. As such, the trial court was not required to make a finding on whether Goodwin's reasons for wanting to discharge counsel were meritorious.

In addition, the trial court here did not err in admitting the detectives' testimony regarding Goodwin's credibility because such testimony was deemed relevant to the detectives' investigative process and not offered to illustrate the detectives' actual opinion of Goodwin's credibility. Alternatively, any error in the admission of the detectives' testimony was harmless due to its cumulative nature and insignificance as compared to other evidence against Goodwin. Hence, reversal of the conviction is not required.

We further conclude that the jury found Goodwin guilty of conspiring to commit all the crimes with which she was charged, including conspiracy to commit first-degree murder, which carries the most severe penalty. Therefore, Goodwin's sentence to life imprisonment with parole for conspiracy is legal.

JUDGMENT OF THE CIRCUIT COURT FOR CARROLL COUNTY IS AFFIRMED. APPELLANT TO PAY COSTS.