

Circuit Court for St. Mary's County
Case No.: C-18-CR-18-000114

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND*

No. 1869

September Term, 2022

WILLIAM EDWARD JOHNSON, III

v.

STATE OF MARYLAND

Graeff,
Beachley,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 28, 2023

*At the November 8, 2022, general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

** This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Following a jury trial in the Circuit Court for St. Mary’s County, William Edward Johnson, III, appellant, was convicted of armed carjacking and related offenses. At trial, the State entered into evidence, and partially played for the jury, a redacted version of Johnson’s interrogation. On appeal, Johnson contends the trial court erred by permitting certain statements the detective made during the interrogation to be played. We cannot, however, reach the merits of Johnson’s appeal because he forfeited any objection about the redacted transcript and audio recording.

Prior to trial, Johnson filed a motion *in limine*, seeking to exclude “any officer assertion of disbelief, opinion of fact, argument with [Johnson], or statement based on hearsay that occurred during [his] interrogation.” The trial court denied Johnson’s motion, but he and the State “met and spent a lot of time sorting out . . . redactions[,]” and ultimately reached an agreement on what portions of the interrogation would be redacted. When the State offered the redacted transcript and audio recording into evidence at trial, Johnson stated he had no objection. In doing so, he forfeited his right to contest their admissibility on appeal. *See Yates v. State*, 202 Md. App. 700, 722 (2011). This remains true despite Johnson’s motion *in limine* because, to preserve the issue for appellate review, he was still required to make a contemporaneous objection at the time the evidence was introduced at trial. *Wise v. State*, 243 Md. App. 257, 275 (2019), *aff’d on other grounds*, 471 Md. 431 (2020).

When the State played the recording at trial, Johnson objected to only one statement on hearsay ground. The objection came after the detective on the recording told Johnson that “that other person that [he was] with” had “already rolled.” Johnson argued that his

“understanding was they weren’t going to play anything that referenced other people’s statements that are not admissible.” But earlier in the recording, the detective commented that they “got [Johnson] identified by two different people.” Johnson did not object to this earlier statement. And both statements allege that someone else had identified Johnson as the culprit. Thus, because “[o]bjections are [forfeited] if, at another point during the trial, evidence on the same point is admitted without objection[,]” Johnson forfeited his hearsay objection. *DeLeon v. State*, 407 Md. 16, 31 (2008). Therefore, because Johnson’s objections are unpreserved, we shall affirm.

**JUDGMENTS OF THE CIRCUIT
COURT FOR ST. MARY’S COUNTY
AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**