Circuit Court for Baltimore City
Case No. C-24-CR-24-000489

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2001

September Term, 2024

WALTER STANFIELD

v.

STATE OF MARYLAND

Tang,
Kehoe, S.,
Raker, Irma S.
(Senior Judge, Specially Assigned),

Opinion by Raker, J.

Filed: June 8, 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, Walter Stanfield, pled guilty to having a loaded handgun on his person and possessing a firearm without the required serial number. He presents the following questions for our review:

> "1. Was the circuit court's denial of Mr. Stanfield's motion to suppress based on probable cause to search and reasonable suspicion to frisk him clear error, where Mr. Stanfield was a mere front seat passenger in a car that an unknown felon entered?
>
> 2. Does the front seat passenger of a vehicle in a busy highway have the right to remain inside the vehicle after an unknown felon enters the backseat rather than flee into oncoming traffic and risk injury or death?"

We will address appellant's two questions together and affirm the judgment of the circuit court.

I.

Appellant was charged with eleven counts related to illegal possession of a handgun. He filed a motion to suppress evidence, which the court denied. He pled guilty to carrying a loaded handgun and possession of a firearm without the required serial number. The court sentenced appellant to a term of incarceration of two years. The parties agreed that appellant preserved his right to appeal the denial of his motion to suppress.

On May 1, 2024, around 10:55am, officers in a helicopter flying around the BWI Airport area pursued a white Acura that was reported stolen during a burglary at a collision shop two days prior. Officers on the ground also pursued the Acura. Leon Roberts drove the Acura and was accompanied by an unidentified male passenger. Mr. Roberts drove the Acura in the departure terminal at BWI, northbound on Route 295, and then northbound

on Martin Luther King Junior Boulevard ("MLK"). The Acura rammed into a police vehicle and then struck another vehicle on the highway. The two occupants of the Acura exited the car after it became disabled and ran.

Officers focused their attention on Mr. Roberts. Mr. Roberts ran away from MLK under the tree canopy and then circled back, jumped over a fence, and ran into the road, "a very busy street . . . at a busy time of day." A silver Hyundai SUV slowed to a stop in the lane closest to the curb, and Mr. Roberts entered the rear passenger seat. The Hyundai continued driving, changing lanes, from the far-right to the far-left. The police stopped the vehicle approximately 40 seconds later at a traffic light. Mr. Roberts exited the Hyundai and unsuccessfully "attempted to carjack an unknown lady" in the lane over. Police apprehended him approximately 100 yards north of the Hyundai.

Police stopped the Hyundai and removed its occupants from the car. Those occupants were a driver, a back seat passenger, and appellant, who was the front seat passenger. On cross-examination, Det. Sanchez could not recall exactly whether the backseat passenger said that they did not know Mr. Roberts:

> "[DEFENSE COUNSEL]: Okay. And one of the passengers says, we don't know that guy—said, we don't know that guy.
>
> DET. SANCHEZ: Okay.
>
> [DEFENSE COUNSEL]: Correct?
>
> DET. SANCHEZ: I don't remember that. Maybe.
>
> [DEFENSE COUNSEL]: Oh, okay. . ."

The police told appellant to lie face down on the ground with his hands behind his back, placing handcuffs on him. Detective Brandon Sanchez testified that appellant complied with orders. Police searched appellant, recovering from his waistband a loaded .9 mm handgun with one bullet in the chamber and no serial number. Sgt. Sanchez searched the Hyundai and recovered a black bag in the back seat containing a handgun and "a small amount" of cannabis. Sgt. Sanchez recovered another handgun under the driver's seat: ". . . it was positioned right under the seat, like—like, somebody stuffed it under there. . . . It's—it wasn't in a position where somebody had a lot of time to stuff it. It's, like, a push there." The gun was visible from the back passenger perspective. Sgt. Sanchez testified that once he touched the black bag, he knew from the weight that there was a handgun inside. Both guns were loaded and were "in the reachable area" of appellant. Appellant was arrested and charged with, *inter alia*, illegal possession of a firearm.

Appellant moved to suppress evidence of the loaded handgun found in his waistband and the two loaded handguns found in the Hyundai. The State argued that the Hyundai was lawfully stopped for aiding and abetting Mr. Roberts and that the occupants of the car were all involved in the crime picking up Mr. Roberts to help him evade police. Appellant argued that the search violated his Fourth Amendment rights. Trial counsel argued that appellant was the victim of a carjacking and that neither he nor any other occupant of the car engaged in criminal conduct. Appellant maintained that the Hyundai seemed to be working together with Mr. Roberts given the way that the Hyundai did not try to escape Mr. Roberts and allowed him to enter. Police believed that the Hyundai was "lying in wait" to help Mr. Roberts and that it was "an accessory to whatever action [MR. ROBERTS] was doing, and

assisting him in fleeing police." Defense counsel conceded that alleging that appellant "was co-conspiring with [Mr. Roberts and the occupants of the Hyundai] is a reasonable inference from the facts[.]"

The court denied the motion to suppress, finding that there was probable cause to arrest and search appellant:

> "So for one, the Court finds that there's probable cause because one, the police had already known that the vehicle was involved—was known to be stolen. That in a continuum of that crime from two days earlier, the person was now fleeing in a stolen vehicle. During the course of the fleeing in the stolen vehicle, the white Acura hit two other vehicles.
>
> That's a hit-and run. Then, they keep going. Then, there's only one car that stops, this car, of all the cars on MLK. There's no show of force. There's no threat of force. There's no weapon brandished by this person, but they stopped and allowed them to get in. That's aiding and abetting. So one, it's the Court's that they have—the event is ongoing. There's no break in time from the beginning of the pursuit that occurred on—that started at 10:55 a.m. and 11:24 p.m.
>
> That even though there's a change in jurisdictions, there's at least one, this—at least one, Ms.—I'm sorry—Ofc. Muir from Foxtrot who followed the pursuit from President Street back into—to BWI, back into Baltimore City. You also have Det. Melnyk who said he saw the pursuit at President Street, followed to BWI, then, back into Baltimore City."

The court found that there was reasonable suspicion to frisk appellant:

> "The Fourth Amendment requires some minimal level of objective justification for making the stop. That level of suspicion is considerably less than proof of wrongdoing by proponents of the evidence. The Court has held that probable cause means a fair probability that contraband or evidence of a crime will be found, and the level of suspicion required for a Terry stop is obviously less demanding than that for probable cause.
>
> In the same vein, the Court has held that when looking at the totality of the circumstances to determine whether or not the State illegally effected a Fourth Amendment seizure, they must use the facts deemed credible by the trial judge. I just read the facts. The Court goes on to cite LaFaye (phonetic),

who has noted that courts generally consider the following reasonable suspicion factors. One, the particularity of the description of the offender or the vehicle in which he fled.

Two, the size of the area in which the offender might be found, as indicated by such facts as the elapsed time between—since the crime occurred. Three, the number of persons about in the area. Four, the known or probable direction of the offenders flight. Five, the observed activity by the particular person stopped, and six, knowledge or suspicion that the person or vehicle stop has been involved in other criminality of the type presented—or presently under investigation.

That's why this Court asked the officer about the timeline, because you have an uninterrupted observation of a vehicle that occurred on May 1st between 10:55 a.m. and 11:24 a.m. That's less than an hour. The size of the area which the offender might have been found is indicated by such facts as the time elapsed since the crime occurred.

In this particular case, the crime occurred two days earlier, but the crime continued once they saw the vehicle again on May the 1st, on President's Street, and began following the vehicle. The vehicle had not been turned in. It was still being described as a stolen vehicle. The description of the vehicle was described over the airway as the pursuit was occurring.

There was a white Acura. Then, the white Acura, upon entering back into the city, was stopped by police, held because the occupants bailed and got into another vehicle. That vehicle was a silver Hyundai Santa Fe which was also being called out over the air at the same time so that the time that the officers were observing the vehicle was the same time as the description was being called out.

Fourth, the known or probable direction of the offender's flight. The officer and her—the direction of the offender's flight was known to the officers because one, Foxtrot was looking at the person fleeing, and too, Sgt. Sanchez said that he saw him bail out and attempted to catch him, but he as already—I'm saying him—the person wearing the white T-shirt, who bailed out of the Acura.

Sgt. Sanchez testified that he attempted to apprehend him, but that another officer apprehended him, so then, he returned back to the silver vehicle. Five, the observed activity by the particular person stopped, and there's two things. One, there's two people who were stopped. But the subject of this Court's inquiry is only to Defendant. The Defendant was a person who was observed

> seated in the passenger front seat of the Hyundai Santa Fe, where the person who was the driver of the white Acura bailed and got—I'm sorry—exited, and then, entered after leaving and returning to MLK so that the person—the Defendant—was then seen in the vehicle, perceived by officers as assisting the person who stole the white Acura in getting away and fleeing.
>
> Six, knowledge or suspicion that the person in the vehicle stopped has been involved in other criminality of the type, presently under investigation. In this particular case, the vehicle was seen leaving with—leaving Martin Luther King—or remaining on Martin Luther King Junior Boulevard after the person in the white T-shirt entered their vehicle. It was, once again, the only vehicle that stopped on a very busy street on a—at a busy time of day within a vicinity where the officers could observe the vehicle and did not leave sight of the vehicle. Under these standards, the Court does believe that the—at a minimum, the officers had a reasonable, articulable suspicion to stop the vehicle. You all learned searched the vehicle once the occupant of the—the driver of the white Acura exited the vehicle on Martin Luther King Junior Boulevard.
>
> In terms of whether or not they had—they could frisk. The State did articulate that the standard is whether or not a reasonably prudent officer would believe that the occupants of the vehicle and the person stopped was dangerous. Again, I'm not going to go into all the facts, but the—this vehicle was observed and believed to have struck two vehicles. One detective vehicle, one civilian vehicle, and to keep going—and kept going through traffic at a busy time of day.
>
> The Court does believe that a reasonably prudent officer would have believed that they are dangerous. As I said, this is not the case where there's a break in observation. In this case, the officers observed a car that they knew to be stolen and being operated by an individual who is not the owner. That person, without losing sight of that person, they get out of the car, return—get out of the car at MLK, return to MLK, and get into this one vehicle which appears to slow down for them, and then, continue on Martin Luther King."

Appellant pled guilty and was sentenced as described. This timely appeal followed.

II.

Before this Court, appellant argues that the circuit court's denial of appellant's motion to suppress based on probable cause to search and reasonable suspicion to frisk him was clear error. Appellant abandons trial counsel's carjacking argument and instead asserts that he was a mere front seat passenger in a car that an unknown felon entered. He maintains that the trial court misstated the standard for probable cause and focused improperly on Mr. Roberts instead of appellant. He argues that no evidence supports the trial court's findings that only the Hyundai stopped, that there was no show of force from Mr. Roberts, or that appellant aided and abetted Mr. Roberts. Appellant asserts that there was no probable cause to search appellant because there was no evidence that appellant engaged in criminal conduct. Appellant argues that the court's finding of reasonable suspicion to frisk appellant is erroneous because no factor generated suspicion that appellant was armed and dangerous. Appellant maintains that his mere presence in the car is not enough for either a search or a frisk. In support of this contention, appellant argues that the front seat passenger of a vehicle on a busy highway has the right to remain inside the vehicle rather than flee into traffic and risk injury or death after an unknown felon enters the backseat.

The State argues that the circuit court correctly denied appellant's motion to suppress evidence. The court concluded correctly that the officers had probable cause to arrest appellant because it was reasonable to conclude that the Hyundai served as the getaway vehicle aiding Mr. Roberts's flight and that the occupants were aiding and abetting the fleeing Mr. Roberts. Officers had probable cause to arrest appellant at the time of the stop of the Hyundai based on their belief that he was aiding the driver of the stolen Acura

in eluding the police. Appellant's firearm, then, was recovered during a lawful search incident to arrest.

III.

When we review the denial of a motion to suppress, we consider only the evidence presented at the suppression hearing and consider the facts in the light most favorable to the prevailing party, here the State. We review the legal questions *de novo* and make our own independent constitutional evaluation, reviewing the relevant law and applying the law to the facts and circumstances of the case. *See State v. Wallace*, 372 Md. 137, 144 (2002).

The Fourth Amendment to the United States Constitution provides as follows:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Various exceptions to the warrant requirement exist:

> "In order for a warrantless search or arrest to be legal it must be based upon probable cause. Regarding arrests we have held that a police officer can arrest an accused without a warrant if the officer has probable cause to believe that a crime has been or is being committed by an alleged offender in the officer's presence, the general standard for probable cause. . . . Our determination of whether probable cause exists requires a nontechnical, common sense evaluation of the totality of the circumstances in a given situation in light of the facts found to be credible by the trial judge. Probable cause exists where the facts and circumstances taken as a whole would lead a reasonably cautious person to believe that a felony had been or is being committed by the person arrested. Therefore, to justify a warrantless arrest the police must point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warranted the intrusion."

Wallace, 372 Md. at 147-48 (internal citations omitted). Another exception is a search incident to arrest.

> "Among the exceptions to the warrant requirement is a search incident to a lawful arrest. This exception has the dual purpose of preserving evidence and ensuring officer safety. . . . [T]he area of a search incident to arrest is limited in scope. Officers are only permitted to search the area within an arrestee's immediate control, which is defined as being the area from within which he might gain possession of a weapon or destructible evidence."

Sinclair v. State, 214 Md. App. 309, 325-326 (2013). This search area includes an arrestee's person. *Chimel v. California*, 395 U.S. 752, 763 (1969). Appellant challenges only the search of his person, not the search of the Hyundai. Inasmuch as appellant was on the ground and handcuffed when he was searched, and not free to leave, he was arrested, requiring probable cause rather than just reasonable suspicion, to support the arrest and search appellant.

We hold that the police had probable cause to arrest appellant. We find it significant that defense counsel conceded that it was a reasonable inference that the occupants of the Hyundai were aiding and abetting Mr. Roberts. This reasonable inference alone provides probable cause for police to conclude that criminal activity is afoot. And, under *Maryland v. Pringle*, 540 U.S. 366, 373 (2003), we can assume a common enterprise between all occupants of the Hyundai. This probable cause is particularized to appellant as an occupant of the car. Appellant was properly arrested, and the ensuing search of him was therefore proper as a search incident to arrest.

Appellant relies on various cases to argue that police did not have probable cause specific to appellant. In *State v. Wallace*, the Supreme Court of Maryland held that a dog

sniff indicating the presence of contraband in a vehicle does not, without more, provide probable cause to search all passengers of that vehicle. *Wallace*, 372 Md. at 141. In *Norman v. State*, 452 Md. 373 (2017), the Court held that the strong odor of cannabis emanating from a vehicle alone did not provide officers with reasonable suspicion that the occupants of the car were armed and dangerous and subject to a frisk.

The case *sub judice* is distinguishable. To start, both *Wallace* and *Norman* deal with *Terry* frisks. Here, we have probable cause to arrest and a search incident to arrest. Moreover, *Wallace* relies on *Pringle v. State*, 370 Md. 525 (2002), which the United States Supreme Court overturned in *Maryland v. Pringle*.

The Court in *Norman* stated that *Wallace* remains good law despite *Maryland v. Pringle*, in part because *Maryland v. Pringle* concerned whether officers had probable cause to arrest appellant, who was within arm's reach of $763 in cash and bags of cocaine, and *Wallace* and *Norman* concern whether officers could search or frisk a vehicle's passenger when contraband had not yet been discovered. *Norman*, 452 Md. at 413-14. The case *sub judice* involves a question of probable cause rather than a *Terry* frisk. And in this case, police had reasonable belief that a crime, the crime of aiding and abetting, was actively occurring.

The search of appellant's person was therefore permissible, and the court did not err in denying appellant's motion to suppress.

JUDGMENT DENYING APPELLANT'S MOTION TO SUPPRESS IN THE CIRCUIT COURT FOR BALTIMORE

CITY AFFIRMED. JUDGMENTS OF CONVICTIONS AFFIRMED. COSTS TO BE PAID BY APPELLANT.