Circuit Court for Somerset County
Case No. C-19-CR-23-000057

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2348

September Term, 2023

JAMMAR D. ROBERTS

v.

STATE OF MARYLAND

Arthur,
Shaw,
Raker, Irma S.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Shaw, J.

Filed: August 21, 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 its persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

In 2022, Appellant Jammar Roberts was indicted in the Circuit Court for Somerset County for various crimes, including possession of a firearm after a disqualifying conviction. Appellant filed a motion to suppress the evidence, and following a hearing, his motion was denied by the court. Appellant later entered a plea of not guilty with an agreed statement of facts to the firearms charge and he was convicted. Appellant timely appealed and presents two issues for our review:

1. Did the motions court err in denying the motion to suppress the statements [Appellant] made while he was unlawfully detained?

2. Did the motions court err in denying the motion to suppress a gun found during the execution of a search warrant for [Appellant's] home where the search warrant was not supported by probable cause?

We hold that the circuit court did not err, and we affirm the judgment.

BACKGROUND

On February 13, 2023, Deputy Ortiz of the Somerset County Sheriff's Office Narcotics Task Force obtained three search warrants in connection with a drug distribution investigation. Two are relevant to this appeal. One warrant was for the premises of 30550 Pine Knoll Drive; and the other was for the person of Appellant Jammar Roberts.

Deputy Ortiz was the affiant for both warrants, and he attested to his training and experience as a law enforcement officer with the Somerset County Sheriff's Office. He stated that he was "familiar with the actions, traits, habits, and terminology utilized from drug traffickers, users, and abusers of controlled dangerous substances." The affidavit described a five-month drug distribution investigation that began in October 2022, when the Task Force received a tip from a confidential informant about Appellant Jammar

Roberts. The informant advised officers that Appellant was a "distributor of CDS in the Somerset County, Maryland area," he drove a "dark colored station wagon," and he resided in the "Pine Knoll apartment complex in Princess Anne, Maryland." Pursuant to this tip, the Task Force, through its informant, conducted controlled drug purchases in October 2022, November 2022, December 2022, and January 2023. During the controlled buys, the officers observed the informant make contact with Appellant and participate in hand-to-hand CDS transactions. Members of the Task Force observed Appellant traveling to and from an apartment at Pine Knoll Drive, driving a Volvo. The informant advised the Task Force that Appellant was the "operator and sole occupant" of the Volvo at each sale.

On October 31, 2022, the Task Force obtained a search warrant to affix a GPS tracking device on the Volvo. For each controlled buy, the device indicated Appellant would leave the residence at Pine Knoll Drive, drive to a predetermined location, and without stopping at any other location, he would return to the same residence. The Task Force also requested and received electronic information from Verizon for calls and text messages associated with the cellphone number Appellant used to communicate with the informant during the purchases.

Following six controlled purchases, the Task Force continued to conduct surveillance of Appellant. While doing so, the officers observed him travel to another apartment complex where an unknown man approached the Volvo. The man reached into the vehicle, placed something in his pants pocket, and walked away; the Volvo then left the area. Deputy Ortiz, in the affidavit, stated, that based on his experience, the "interaction is indicative of a hand-to-hand CDS transaction" and "the area in which [it] occurred [is]

an open-air CDS market." The affidavit also included Appellant's criminal history which had prior CDS related charges. Based upon his investigation and the information derived therefrom, Deputy Ortiz stated in the warrant application that it was his belief that probable cause existed to search Appellant and his home for evidence of CDS distribution.

The search warrants were issued by a circuit court judge on February 13, 2023, and they were executed on the same day. During the search of the residence, a handgun and ammunition were recovered. When Appellant was interviewed by Sergeant Meier, he admitted that the handgun was his.

Appellant was later indicted in the Circuit Court for Somerset County for possession of a firearm after a disqualifying offense, illegal possession of ammunition, and possession of a stolen firearm. He filed a motion to suppress the evidence, and the circuit court scheduled a hearing.

At the hearing held on December 12, 2023, the search warrants were admitted into evidence without objection. Deputy Ortiz identified himself as the affiant for the search warrants. He testified that Appellant was detained after a traffic stop, in order to execute the search of his person. Officers transported Appellant to a Maryland State Police barracks. Approximately fifteen minutes later, the search warrant for the residence was executed and Deputy Ortiz was the "seizing officer" for that search. He recovered a handgun from underneath a bed, ammunition, mail with Appellant's name, and other personal effects indicating Appellant lived in the home.

Sergeant Meier, who was also a member of the Somerset County Sheriff's Office Narcotics Task Force, supervised the execution of the warrants. He testified that his

office's policy for a search warrant of a person typically involves a strip search. When asked why Appellant was transported to the Maryland State Police barracks, he stated:

> It's a safety concern. Typically, if we come in contact with a suspect or defendant that is out in public or an area that's not secure, we do not want to execute a full search of the person in, first of all, a place that's not private and also not safe.

When asked why Appellant was held at the police barracks during the search of the residence, he stated:

> It's just a safety concern. When we're executing a warrant, we have unsecured locations where we have people that are in the residence searching actively. We don't want to be surprised and have people coming into the house where we're actively searching. It's just a safety concern.
>
> And likewise, same reason that we typically transport a suspect to the barrack. It's just to get everything done in a safe way. That's really the reason.

Sergeant Meier testified that he interviewed Appellant. He first advised Appellant of his Miranda Rights. Appellant waived his rights and agreed to answer questions. Sergeant Meier authenticated the video taken, and it was admitted into evidence without objection. During the interview, Appellant provided his address and phone number. Both the address and phone number he provided matched the address listed in the search warrant. After Sergeant Meier informed Appellant that a handgun had been recovered, he asked:

> SERGEANT MEIER: Is that your gun or is it Ms. Church's gun?
>
> [APPELLANT]: (Indiscernible.)[1]
>
> SERGEANT MEIER: All right. . . . You're not allowed to possess a weapon. Do you know if that weapon was used in any crimes of violence?

[1] The parties agree that Appellant admitted that the gun was his.

[APPELLANT]: No. No.

SERGEANT MEIER: What do you have it for?

[APPELLANT]: Protection.

Following the testimony of the two officers, Appellant elected to testify and he corroborated much of the testimony already given. He stated that, during the traffic stop, he was "patted down," and the officers told him he "was detained, pending the outcome of the house, search of the house." After being taken to the station, he stated the officers "did the same little pat-down. That was it." On cross-examination, Appellant testified that he was in a holding cell "the whole time, until the interview." When asked how long he was stopped on the side of the road before being taken to the station, Appellant responded "[p]robably minutes, max, 15."

Appellant's counsel argued that (1) "there [was] scanty, at best, probable cause for searching that actual address[;]" and (2) "the statement was illegally obtained because he was detained illegally, pending the search of the house." In addressing Appellant's contention that the search warrant lacked probable cause, the judge stated:

> In this case, probable cause was based on a several-month-long investigation, in surveillance of the [Appellant], controlled purchases conducted between the [Appellant] and a confidential informant.
>
> Text messages have been the subject of much discussion this afternoon from the [Appellant's] phone. And there was mention of [Appellant's] criminal history of drug transactions. Taken together with several instances where the [Appellant] was observed coming to and from the residence at 30550 Pine Knoll Drive.
>
> That's – I think it's fair to infer the [Appellant] was keeping drugs at that location and that could [sic] have been keeping drugs in a substantial amount.

The court then discussed the search of Appellant at the police station:

> Now, the Court further finds that the issue had to do with the detention of the [Appellant], as I recall it, and where a search was performed or was not performed. And I listened very carefully to the testimony from the police officers. And the Court finds it not unreasonable that the search of the [Appellant] not occur at the roadside, as indicated for the reasons the officers have suggested. And I think they mention specifically for safety and privacy reasons.
>
> Likewise, the Court finds that the detention of the [Appellant] at the barrack was reasonable for the reasons also indicated by the officers with respect to privacy and safety.
>
> The [Appellant] was stopped at 12:15. The search was at 1:10 p.m., and the interview of the [Appellant] occurred at 2:26 p.m.

The court denied the motion to suppress. Appellant, subsequently, entered a not guilty plea with an agreed statement of facts to the charge of possession of a firearm after a disqualifying conviction. He was convicted and sentenced to five years' incarceration without parole. Appellant timely appealed.

STANDARD OF REVIEW

An appellate court reviews the denial of a motion to suppress *de novo*. *See Borges v. State*, 262 Md. App. 538, 546 (2024) (citing *Seal v. State*, 447 Md. 64, 70 (2016)). In doing so, we are "limited to the record developed at the suppression hearing." *Pacheco v. State*, 465 Md. 311, 319 (2019) (citing *Moats v. State*, 455 Md. 682, 694 (2017)). Evidence on the record and any reasonable inferences are viewed in the light most favorable to the prevailing party. *Borges*, 262 Md. App. at 546 (citing *Davis v. State*, 426 Md. 211, 219 (2012)). While factual determinations by the trial court will not be disturbed absent clear error, we "must make an independent constitutional evaluation by reviewing

the relevant law." *Id.* (quoting *State v. Johnson*, 458 Md. 519, 532–33 (2018)); *see also Collins v. State*, 192 Md. App. 192, 214 (2010) (citing *Cooper v. State*, 163 Md. App. 70, 84 (2005)).

When reviewing a court's decision to issue a search warrant, an appellate court gives great deference to the judge's determination. *See Rovin v. State*, 488 Md. 144, 184 (2024) (citing *Greenstreet v. State*, 392 Md. 652, 668 (2006)). On appeal, we examine whether "the issuing judge had a substantial basis for concluding that probable cause existed." *Id.* (citing *Greenstreet*, 392 Md. at 668). This finding is constrained by the "four corners" of the warrant and any accompanying documents. *Ellis v. State*, 185 Md. App. 522, 534 (2009) (quoting *Greenstreet*, 392 Md. at 669). The issuing judge's factual findings are accepted, unless clearly erroneous. *Id.* at 535 (citing *State v. Jenkins*, 178 Md. App, 156, 174 (2008)). We view the facts in the warrant application in the light most favorable to the State. *Jenkins*, 178 Md. App. at 163.

DISCUSSION

I. The court did not err in denying the motion to suppress Appellant's statements.

Appellant argues that the court erred in denying his motion to suppress. He asserts that after the police patted him down, they had a duty to immediately release him. He contends that the statements made by him to police were the fruit of an unlawful detention and inadmissible. The State responds that the officers had independent authority to detain Appellant because the search warrants were valid, their observations of Appellant during controlled CDS buys amounted to probable cause for an arrest, and because a firearm was

found in his residence, which he was disqualified from possessing. In the alternative, the State argues that if the detention was unlawful, the statements were admissible under the attenuation doctrine.

In undertaking a Fourth Amendment analysis we, first, examine the type of interaction an officer had with the accused individual. *See King v. State*, 193 Md. App. 582, 591 (2010).

> The most intrusive encounter is an arrest, which requires probable cause to believe that a person has committed or is committing a crime. The second category is the investigatory stop or detention, known commonly as a Terry stop, an encounter considered less intrusive than a formal custodial arrest and one which must be supported by reasonable suspicion that a person has committed or is about to commit a crime and permits an officer to stop and briefly detain an individual. The third contact is considered the least intrusive police-citizen contact and one which involves no restraint of liberty . . . a mere accosting, need not be supported by any suspicion.

Chase v. State, 224 Md. App. 631, 641–42 (2015) (quoting *Wilson v. State*, 409 Md. 415, 440 (2009)). If an officer has reasonable suspicion to conduct a particular stop, the officer can lawfully detain the person "for a reasonable period of time, measured by the particular facts and circumstances at hand, in order to investigate the suspected criminal behavior." *Barnes v. State*, 437 Md. 375, 390 (2014) (citing *Terry v. Ohio*, 329 U.S. 1, 30–31 (1968)). "If, during that time, the officer's suspicion ripens into probable cause . . . then an arrest lawfully may ensue. But if the officer does not develop either probable cause . . . or reasonable suspicion for a 'superseding stop,' then the officer must immediately release the detainee. Any continued detention, unsupported by the requisite suspicion, is unreasonable and, consequently, in violation of the Fourth Amendment" *Id.* at 390–91.

On appeal, we examine whether the officer's conduct was reasonable within the meaning of the Fourth Amendment and we look at the totality of the circumstances. *State v. McDonnell*, 484 Md. 56, 80 (2023). If the actions were justified by officer safety or permissible to prevent the flight of a suspect, a detention that is not supported by reasonable suspicion, may, nevertheless, pass Fourth Amendment muster. *Bailey v. State*, 412 Md. 349, 372 n.8 (2010).

Appellant argues that *Barnes v. State*, 437 Md. 375 (2014), is instructive. There, the Maryland Supreme Court addressed the lawfulness of a continued detention after the execution of a search warrant. Detectives, investigating a murder, obtained search warrants to collect DNA and fingerprints from Barnes, and to search his residence. *Id.* at 382. While executing the search of the home, officers conducted a traffic stop and advised Barnes about the search warrant. *Id.* at 383. They then escorted him to the police station. *Id.* Several hours later, after the search of the residence was concluded, the detectives returned to the police station, and Barnes' DNA and fingerprints were collected. *Id.* at 384. The detectives interviewed him about a storage locker discovered during the search of the residence, and he consented to a search of the storage locker, which uncovered incriminating evidence. *Id.* at 384–85.

Prior to trial, Barnes moved to suppress the evidence from the storage locker, arguing that his consent was the fruit of an unlawful detention because he was detained for too long prior to the warrant of his person being executed and, once it was executed, he should have been released. *Id.* at 385. The court denied the motion, and following a jury trial, Barnes was convicted. *Id.* at 386. We affirmed his conviction, holding that his

detention was lawful. *Id.* The Supreme Court granted certiorari and held that reasonable suspicion was the required level of justification for the detention and that the detention did not demand a standard as stringent as probable cause. *Id.* at 398–99. The Court found that the officers had a reasonable suspicion that Barnes was involved in a murder, at the inception of the detention and the three-hour detention was not unreasonably long as to constitute a de facto arrest. *Id.* The Court affirmed the judgment of this Court. *Id.* at 399.

Appellant also relies on *Bailey v. U.S.*, 568 U.S. 186 (2013) to support his argument that the officer's "safety concerns" did not provide a basis for his continued detention at the police barracks. Bailey was detained away from his residence after a traffic stop was conducted incident to the execution of a search warrant at his residence. 568 U.S. at 191. He was then transported back to the residence. *Id.* During the search, a handgun and drug paraphernalia were found, and Bailey was placed under arrest. *Id.*

In analyzing the lawfulness of the detention, the Supreme Court noted *Michigan v. Summers*, 452 U.S. 692 (1981), which "recognized three important law enforcement interests, that, taken together justify the detention of an occupant who is on the premises during the execution of a search warrant: officer safety, facilitating the completion of the search, and preventing flight." *Id.* at 194.

> [D]etentions incident to the execution of a search warrant are reasonable under the Fourth Amendment because the limited intrusion on personal liberty is outweighed by the special law enforcement interests at stake. Once an individual has left the immediate vicinity of a premises to be searched, however, detentions must be justified by some other rationale.

Id. at 202. The Court held that the rule articulated in *Summers* did not justify Bailey's detention because the law enforcement interests diminished as he was outside the

immediate vicinity of the residence. *Id.* at 201. The Court, however, expressed no opinion regarding whether the stop was lawful under *Terry*. *See id.* at 197–99, 202. The case was remanded for further proceedings. *Id.* at 202.

In the present case, Appellant was stopped by police at 12:55 p.m., and they detained him to execute the search of his person. He was transported to a police barrack for safety, and he was subjected to a pat down and not a search. The search of the residence began at 1:10 p.m. and at 2:25 p.m., after the search of the residence had concluded, Sergeant Meier began his interview. Appellant's detention was approximately two hours, the officers had not conducted a full search of Appellant prior to the interview, and the officers recovered a gun during the search of the residence.

Appellant argues that his detention was not justified, as in *Barnes*, because it was not an investigatory detention, but rather was for officer safety. We do not agree with his characterization. Here, like in *Barnes*, the officers had a search warrant for Appellant's person, they detained him to conduct the search, while he was detained a handgun was recovered in his home, he was interviewed, and during that interview, he admitted that he owned the gun. We note that the detention in *Barnes*, which the Maryland Supreme Court held, was not unreasonably long, was longer than that in the present case.

We also are unpersuaded that *Bailey* is applicable. In that case, officers had a search warrant for a residence only and not for Bailey. Here, Appellant was initially detained to execute the search of his person. During the course of his detention, and as a result of the execution of the search of the residence, the officers developed a reasonable suspicion

which ripened into probable cause. These circumstances were independent from the search warrant.

As previously noted, on appeal, we examine the evidence and all reasonable inferences therefrom in the light most favorable to the State. *See Borges*, 262 Md. App. at 546 (citing *Davis*, 426 Md. at 219). Based on the record in the case at bar, we hold that Appellant's detention was not unlawful. Appellant's detention was not unreasonably prolonged, the officers articulated that they detained him based on privacy and safety concerns to execute the warrant of his person, and during the course of his detention, evidence was obtained that justified his continued detention and ultimately, his arrest.

Assuming *arguendo,* that Appellant's continued detention was unlawful, his statements were, nevertheless, admissible. *Thornton v. State*, 456 Md. 122, 140 (2019) (citing *Bailey*, 412 Md. at 363). While evidence obtained during the course of an illegal search and/or seizure is generally inadmissible, in some circumstances, "[e]vidence is admissible when the connection between unconstitutional police conduct and the evidence is remote or has been interrupted by some intervening circumstance, so that the interest protected by the constitutional guarantee that has been violated would not be served by suppression of the evidence obtained." *State v. Carter*, 472 Md. 36, 72 (2021) (citing *Utah v. Strieff*, 579 U.S. 232, 238 (2016) (internal citations omitted)). In deciding whether to apply the doctrine, courts consider: "(1) the temporal proximity between the unlawful conduct and the discovery of the evidence; (2) the presence of intervening circumstances; and (3) the purpose and flagrancy of the official misconduct." *Id.* (citing *Brown v. Illinois*, 422 U.S. 590, 603–04 (1975)).

Here, Appellant's incriminatory statements were made during his interview with Sergeant Meier, after a search of the residence, pursuant to a search warrant, uncovered a handgun. In our view, the recovery of the gun was an intervening circumstance. We observe, also that there is no allegation regarding misconduct or that Sergeant Meier acted in bad faith. Appellant's statements were attenuated and properly admitted by the court.

II. The court did not err in denying the motion to suppress evidence obtained during the execution of a search warrant at Appellant's home.

Appellant argues the court erred in denying his motion to suppress evidence found in his home. He contends the warrant lacked probable cause and that the good faith exception to the exclusionary rule is not applicable. The State argues that there was a substantial basis for the court's probable cause finding, because the information in the warrant application showed a nexus between the sale of CDS and Appellant's home. In the alternative, the State argues that even if the warrant was improper, the officers relied on it in good faith, and thus, the gun evidence was properly admissible.

The Fourth Amendment requires that a warrant be obtained to conduct a reasonable search or seizure. *See State v. Andrews*, 227 Md. App. 350, 372–73 (2016) (citing *Katz v. United States*, 389 U.S. 347, 359 (1967)) (collecting cases). A valid search warrant must be supported by probable cause. *See* MD. CONST. art. 26; *see also Washington v. State*, 482 Md. 395 (2022) (holding that Article 26 is interpreted "*in para materia* with the Fourth Amendment, meaning that the protections under Article 26 are coextensive with those under the Fourth Amendment"); U.S. CONST. amend. IV ("[N]o 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."). Probable cause exists where the facts alleged in the warrant application indicate there is a "fair probability that contraband or evidence of a crime will be found in a particular place." *Behrel v. State*, 151 Md. App. 64, 86 (2003). A search warrant can be properly granted when the State establishes "some nexus 'between the nature of the items sought and the place where they are to be seized.'" *Williams v. State*, 231 Md. App. 156, 185 (2016) (quoting *State v. Coley*, 145 Md. App. 502, 527–28 n. 18 (2002)).

In *Holmes v. State*, 368 Md. 506 (2002), the Maryland Supreme Court addressed whether information in a warrant application provided a substantial basis for finding probable cause to issue the warrant. There, a search warrant was issued for Holmes' residence, and the search of the home uncovered large amounts of cash, cocaine, marijuana, and handguns. 368 Md. at 510–11. Holmes moved to suppress the evidence on the basis that the warrant lacked probable cause, and the trial court denied the motion. *Id.* at 508. Our court remanded the case, holding that we could not review the issue of whether probable cause existed without other preliminary findings by the trial court.[2] *Id.* at 511–12. On certiorari, Holmes argued that his motion should have been granted because there was not a sufficient nexus between his activities outside his home and any evidence likely to be recovered in the home. *Id.* at 512.

[2] Another issue raised on appeal was the validity of a protective sweep prior to obtaining a search warrant that uncovered a safe. *Holmes*, 368 Md. at 511. The discovery of that safe was then noted within the warrant application. *Id.* at 512.

In its analysis, the Maryland Supreme Court noted that "[d]irect evidence that contraband exists in the home is not required . . . rather probable cause may be inferred from the type of crime, the nature of the items sought, the opportunity for concealment, and reasonable inferences about where the defendant may hide the incriminating items." *Id.* at 522. The Court also referenced information that was included in the application for the search warrant about the requesting officer's experience and expertise in the detection and investigation of CDS offenses. *Id.* at 517. The application further detailed events observed by law enforcement concerning Holmes and how that created a need to search his home:

> [F]rom his experience, [the officer] stated that he knew drug traffickers often maintain large amounts of money at their residence in order to finance their operations, as well as drugs, paraphernalia, weapons, and various books, records, and other documents relating to the ordering, transportation, and distribution of controlled dangerous substances.

Id. at 518. The Court held that there was a sufficient nexus, and, therefore, a substantial basis for concluding probable cause existed. *Id.* at 523–24 (holding a sufficient nexus existed where the was evidence that the petitioner had a history of CDS offenses, law enforcement witnessed CDS transactions close to his home, and law enforcement witnessed him "in and out of his home immediately prior" to transactions). The judgment was affirmed. *Id.* at 524.

In 2017, this Court, in *Joppy v. State,* 232 Md. App. 510 (2017), found a sufficient nexus existed for the search of a home, where surveillance of the defendant showed that he exited the residence prior to engaging in drug transactions. In that case, Montgomery County police, while conducting an investigation into illegal drug activity in an apartment

complex, obtained warrants to conduct electronic surveillance of telephones, and they discovered that the appellant was an operative in a drug trading network. *Id.* The officers obtained a warrant for a search of the appellant's residence, which uncovered cocaine and a digital scale. *Id.* at 515. The appellant moved to suppress the evidence, the court denied his motion, and he was subsequently convicted. *Id.* at 516.

On appeal, we held that a sufficient nexus had been established. *Id.* at 517–19. We concluded that "three of the intercepted telephone calls involving the appellant coupled with the visual surveillance conducted after each of those telephone intercepts tie down the nexus between the appellant's criminal activity and [his residence]." *Id.* at 519. Evidence in the affidavit detailed that after each call with another drug operative, the appellant immediately left his home to meet up with customers at a described location. *Id.* at 519–22. We gave weight to direct evidence in the affidavit establishing the residence was the appellant's, which was provided by the apartment manager *Id.* at 522. We concluded that the circumstantial evidence from the officer, paired with the direct evidence, gave the court a substantial basis for concluding the warrant application established probable cause. *Id.* at 529.

In *Whittington v. State*, 474 Md. 1 (2021), the Maryland Supreme Court held that "the substantial basis of an issuing court [in granting a search warrant of a home] may be predicated on an affiant's professional experience and inferences drawn therefrom in deciding whether probable cause exists." *Id.* at 32 (citing *Moats*, 455 Md. at 700–01). The Court stated:

> The reasoning, supported by both experience and logic, is that, if a person is dealing drugs, he or she is likely to have a stash of the product, along with records, and other evidence incidental to the business, that those items have to be kept somewhere, that if not found on the person of the defendant, they are likely to be found in a place that is readily accessible to the defendant but not accessible to others and *that the defendant's home is such a place*.

Id. at 32 (quoting *Holmes*, 368 Md. at 521–22) (emphasis in original). The Court noted that "not all police inferences of narcotics activity within a home will overcome substantial basis review." *Id.* at 33. The Court held that, because warrant affidavit contained evidence that the officers observed the defendant participate in numerous CDS transactions, there was GPS tracking that captured the defendant's movements from his residence directly to narcotics transactions, and the officer had extensive history and experience with CDS training, there was a sufficient nexus. *Id.* at 34–36. The Court concluded that there was a substantial basis to support the judge's finding of probable cause. *Id.* at 36–37.

In the present case, the warrant application contained eleven paragraphs detailing Deputy Ortiz's professional experience and expertise, which included specialized training in "the detection and identification of Controlled Dangerous Substances and the habits of persons involved in the manufacture, distribution, and use of Controlled Dangerous Substances." The affidavit described at length, the Task Force's investigation and the use of a confidential informant, who had previously provided reliable information. The affidavit stated that, during the course of the investigation, the Task Force coordinated six controlled buys of CDS from Appellant. The officers, in conducting surveillance of these controlled buys, witnessed a pattern, whereby Appellant would leave 30550 Pine Knoll Drive before meeting the confidential informant at a predetermined location and return to

the residence immediately after. The affidavit also contained descriptions of observations made by the officers of Appellant and an unknown person in an area described as an open-air market, engaging in a hand-to-hand CDS transaction. The affidavit included Appellant's criminal history, which consisted of convictions for CDS related offenses. Deputy Ortiz stated, in the affidavit, that based on his training, knowledge, and experience, he knew "that individuals involved in the distribution of controlled dangerous substances will utilize their residence to secrete the controlled dangerous substances and to make them more readily available for distribution," and that, he believed relevant evidence would be found in Appellant's home.

On this record, and in accordance with *Holmes*, *Joppy*, and *Whittington*, we hold that there was a sufficient nexus between Appellant's criminal activities and his residence. Appellant disagrees and cites *Williams v. State*, 231 Md. App. 156 (2016) for support. In *Williams*, this Court held that there was sufficient evidence of a nexus to search the residence where the affidavit contained information from several confidential informants, that information was further corroborated by law enforcement, and there was of evidence of Williams' prior drug violations. 231 Md. App. at 188–89. Appellant contends that our primary holding, however, was that a sufficient nexus was established because the informants averred that he never sold drugs from his home and the affiant explained that through his experience, drug dealers often do not sell from the home. *See id.* at 189. We do not agree with this characterization. As in *Williams*, the affidavit here described Appellant's criminal activity, alongside statements from Deputy Ortiz as to why a search of the residence could uncover evidence of those crimes. We conclude that there was a

substantial basis upon which the court could conclude that probable cause existed for the search warrant. *See Joppy*, 232 Md. App. at 529.

Assuming *arguendo*, that the court erred in granting the warrant, the handgun evidence was still admissible. Where "law enforcement officers acted with a reasonable good-faith belief that their conduct is lawful, a court will not suppress evidence from an unlawful search." *Id.* (citing *United States v. Leon*, 468 U.S. 897, 909 (1984)). Moreover, "a warrant issued by a magistrate normally suffices to establish that a law enforcement officer has acted in good faith in conducting the search." *Tomanek v. State*, 261 Md. App. 694, 720 (2024).

Here, it is undisputed that Deputy Ortiz's statements in the affidavit were not misleading, the warrant was not facially deficient and there is no evidence to suggest he knew or should have known that the warrant was invalid. *See Marshall v. State*, 415 Md. 399, 411–13 (2010) (holding that a warrant application for the search of a residence was made in good faith where the officers' affidavit stated a reliable informant indicated that an individual was a "drug dealer," and that they observed the individual return to the home directly after a controlled buy); *Whittington*, 474 Md. at 37–42. In sum, the application was made in good faith and the officers acted in accordance.

JUDGMENT OF THE CIRCUIT COURT FOR SOMERSET COUNTY AFFIRMED; COSTS TO BE PAID BY APPELLANT.