



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved
Death in Baltimore City on
May 24, 2024

April 7, 2025

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Declination Report Concerning the Police-Involved Death of Anthony Ferguson on May 24, 2024

The Independent Investigations Division of the Maryland Office of the Attorney General (the “IID”) is charged with investigating “police-involved incidents that result in the death of individuals or injuries likely to result in death.”¹ If the Attorney General determines that the investigation provides sufficient grounds for prosecution, then the IID “shall have exclusive authority to prosecute the offense.”²

I. Introduction

On May 24, 2024, at approximately 10:25 p.m., officers with the Baltimore Police Department (“BPD”) located Mr. Ferguson sitting on the porch of a vacant commercial building in the area of South Hanover Street and Baltic Avenue. Four officers approached and initiated a conversation with Mr. Ferguson. During the conversation, Mr. Ferguson stood up, displayed a handgun in his waistband, and then pointed the handgun at the officers. Mr. Ferguson and the officers exchanged gunfire; Mr. Ferguson struck one of the officers in the chest, hitting the officer’s bulletproof vest. Mr. Ferguson was struck multiple times and then collapsed to the ground.

An uninvolved BPD officer arrived on scene and rendered medical aid to Mr. Ferguson. Mr. Ferguson and the injured officer were transported to a local hospital for treatment, where Mr. Ferguson was later pronounced dead. The injured officer suffered non-life-threatening injuries.

After completing its investigation and evaluating all available evidence, the Office of the Attorney General has determined that none of the subject officers committed a crime under Maryland law. Accordingly, the Attorney General has declined to prosecute any of the subject officers in this case.

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officers’ conduct. By statute, the IID only has jurisdiction to investigate the actions of police officers, not those of any other individuals involved in the incident. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of officers’ conduct. Compelled statements by a subject officer—may be considered in civil or administrative processes but may not be considered in criminal investigations or prosecutions due to a subject officer’s Fifth Amendment rights. If any compelled statement exists in this case, the IID has not considered them in this investigation.

This report is composed of a factual narrative, followed by a legal analysis. Every fact in the narrative is supported by the evidence obtained in this investigation, including forensic and autopsy reports, police radio transmissions, dispatch records, police and EMS reports, body-worn camera footage, surveillance footage, photographs, department policy, and interviews with law enforcement witnesses. The subject officers in this case chose not to make statements to the IID, which did not impact the prosecutorial decision.

¹ Md. Code Ann., State Gov’t § 6-602 (c)(1).

² Md. Code Ann., State Gov’t § 6-604 (a)(1).

The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

This investigation involved one decedent and five subject officers.

- A. The decedent, Anthony Ferguson, was 39 years old at the time of the incident. He was a Black male who lived in Baltimore, Maryland.
- B. Sergeant Timothy Copeland has been employed by BPD since December 2001. He is a White male, and at the time of this incident was 46 years old.
- C. Detective Nicholas Wellems has been employed by BPD since April 2014. He is a White male, and at the time of this incident was 44 years old.
- D. Officer Brandall Mable has been employed by BPD since August 2018. He is a Black male and at the time of this incident was 34 years old.
- E. Officer Nicolas Sturla has been employed by BPD since December 2020. He is a White male and at the time of this incident was 46 years old.
- F. Officer Kevin Retamales has been employed by BPD since March 2021. He is a White male and at the time of this incident was 28 years old.

The IID reviewed all available departmental disciplinary records and criminal histories of these involved parties and where they existed, determined none were relevant to this investigation.

II. Factual Summary

In May of 2024, BPD identified Anthony Ferguson as a person of interest in a non-contact shooting that took place on May 20, 2024.³ On May 24, 2024, at approximately 6:21 p.m., BPD Sergeant Copeland and Officer Retamales spoke to Mr. Ferguson at his place of employment about the shooting, ultimately leaving without searching or arresting him. During the visit, Mr. Ferguson's supervisor advised the officers that Mr. Ferguson would be on a break between 10:00 p.m. and 10:30 p.m.

Several hours later, Sergeant Copeland saw Mr. Ferguson while on a work break sitting on a set of steps of an unoccupied building in the 3400 block of South Hanover Street. Mr. Ferguson was a short distance away from his work site, and in possession of a backpack. Sergeant Copeland contacted Detective Wellems and Officers Kevin Retamales, Brandall Mable, and Nicolas Sturla,

³ A non-contact shooting is one in which an individual discharges a firearm, but no person is struck by the projectile. Due to the scope of the IID's investigation, the IID has not examined any criminal culpability of Mr. Ferguson. The facts involving Mr. Ferguson's alleged prior conduct or criminal activity were not considered by the IID during this investigation and did not influence the prosecutorial decision. While the potential criminal culpability of Mr. Ferguson is outside the scope of this investigation, certain factual information related to the incident may provide context for the subject officer's conduct.

the latter three of whom routinely worked with Sergeant Copeland as a team, to approach Mr. Ferguson. Each subject officer drove and parked his own patrol car in the vicinity of the scene.

At 10:25:12 p.m., Officer Sturla approached Mr. Ferguson, with Sergeant Copeland following closely behind at 10:25:28 p.m., Officer Mable at 10:25:46 p.m., and Detective Wellems at 10:25:56 p.m. The officers questioned Mr. Ferguson about the shooting incident:

Sergeant Copeland: You got it on you today, my man?

Mr. Ferguson: [unintelligible]

Sergeant Copeland: It was all on video when you were shooting up the garage last week, or a couple days ago.

Mr. Ferguson: I don't have anything.

Sergeant Copeland: Alright well as long as you ain't got a gun on you, then we ain't got much to talk about, but I need to check your backpack [to] make sure you ain't got the gun on you today, alright?

Mr. Ferguson handed Sergeant Copeland his backpack, which Sergeant Copeland opened and searched, saying, "Kind of figured you got probably got rid of it after we came by earlier but [unintelligible] check just in case. You are lucky you didn't hit any of them people." Sergeant Copeland then finished searching the backpack and said "you ain't got no guns on you anywhere, right?"

At 10:26:04 p.m., Mr. Ferguson, who was still seated, put his face in his hands and wiped his face. As he began to stand up, Sergeant Copeland instructed him to "lift [his] shirt up so [he could] see" if he had a weapon in his waistband, as it was "a big enough gun" to be visible. Within seconds, Mr. Ferguson took a step back as he reached for his waist area with both hands, and then Sergeant Copeland backed up and drew his service weapon. Both Sergeant Copeland and Detective Wellems began shouting commands for Mr. Ferguson to "drop the gun."



Image 1: Still image from Officer Mable’s body-worn camera footage as Mr. Ferguson (circled in red) reached for the handgun in his waistband with his left hand. Detective Wellems (circled in green), Officer Copeland (circled in blue), and Officer Sturla (circled in yellow), are also pictured, all with their service weapons drawn. At this point, Officer Retamales (not pictured) had just rounded the corner onto South Hanover Street and was proceeding toward this group, in the direction of Detective Wellems.

As Sergeant Copeland and Detective Wellems shouted, they, along with Officers Sturla and Mable, pointed their service weapons at Mr. Ferguson and formed a semi-circle around Mr. Ferguson. At this time, Mr. Ferguson stood with his back to the door of the building. As Sergeant Copeland and Detective Wellems shouted at Mr. Ferguson, Officer Retamales arrived at the corner of South Hanover Street and Frankfurst Avenue. Officer Retamales ran toward the scene and drew his service weapon. Mr. Ferguson drew a handgun from his waistband and pointed it in the direction of Detective Wellems and Officer Retamales, while the remaining subject officers continued shouting commands to “drop the gun.”



Image 2: Still image from Officer Sturla's body-worn camera footage showing Sergeant Copeland aiming his service weapon (circled in blue) at Mr. Ferguson. Mr. Ferguson is shown aiming his handgun (circled in red) in the direction of Detective Welles.

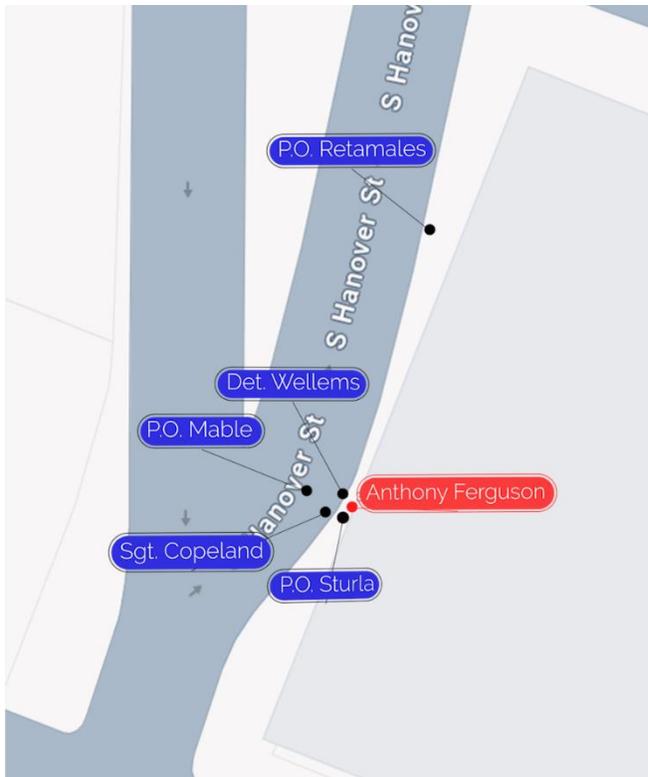


Image 3: Diagram showing the locations of the five subject officers and Mr. Ferguson at the time of the shooting.

The subject officers and Mr. Ferguson exchanged gunfire. The subject officers discharged their service weapons a combined thirty-nine times, and Mr. Ferguson discharged his handgun at

least three times.⁴ Mr. Ferguson was struck multiple times and then slumped forward. Detective Wellems was struck once in the chest. However, the shot to Detective Wellems' chest was blocked by his bulletproof vest. The exchange of gunfire lasted approximately three seconds, ending at 10:26:20 p.m.



Image 4: Still image from Detective Wellems' body-worn camera footage, showing a muzzle flash from Mr. Ferguson's handgun (circled in red).

Sergeant Copeland immediately radioed in “shots fired, shots fired” and called for a medic. Detective Wellems said “Godammit, I’m hit, I’m hit, I’m hit. Hold on, I’m hit, I’m hit, I got hit, I got hit.” The remaining subject officers approached Detective Wellems and checked him for injuries before proceeding with additional tasks. Officer Sturla remained with Detective Wellems and helped him take off his vest to check him for injuries.

Sergeant Copeland moved back and forth between Detective Wellems and Mr. Ferguson. At 10:26:53 p.m., Sergeant Copeland radioed updates on Detective Wellems' condition, and at 10:27:09 p.m. asked for another medic to check Detective Wellems. At 10:27:24 p.m., Sergeant Copeland stated to officers that responded after the shooting occurred that “somebody needs to block off this road.”

Officers Retamales and Mable approached the porch where Mr. Ferguson was lying face down with their service weapons drawn. Officer Retamales climbed over the railing onto the porch as Officer Mable climbed the stairs up to the porch from the other direction. Officer Retamales recovered Mr. Ferguson's handgun, and instructed Officer Mable to “stay on him, stay on him”, while Officer Retamales walked down the stairs to the sidewalk and removed the handgun's magazine, secured the handgun, and placed it on the ground. Officer Mable moved Mr. Ferguson's

⁴ A discussion of the ballistics analyzed and the conclusion that he shot at least three times is in Section III, *infra*.

right arm from underneath his body, grabbed Mr. Ferguson by his belt, and moved Mr. Ferguson's body to reveal his left arm. At 10:27:10 p.m., Officer Retamales returned to the porch, put gloves on his hands, and then handcuffed Mr. Ferguson as he laid face down on his stomach. They did not provide medical aid.



Image 5: Still image from Officer Morgan Clasing's body-worn camera footage showing Mr. Ferguson lying face down on the porch with his hands cuffed behind his back. [Image frame has been cropped for privacy reasons].

At 10:28:32 p.m., Officer Morgan Clasing arrived on the scene and ran onto the porch.⁵ As she put gloves on her hands, Officer Clasing stated to Officers Retamales and Mable "do something." Officer Clasing immediately began providing medical aid to Mr. Ferguson, and Officer Mable assisted. At 10:33:24 p.m., Baltimore City Fire Department medics arrived and took over Mr. Ferguson's emergency medical care. The medics transported Mr. Ferguson to a local hospital. On May 25, 2024, at 2:52 a.m. Mr. Ferguson was pronounced dead. Detective Wellems was also transported to a local hospital where he was treated and released.

III. Supplemental Information

A. Autopsy

On May 25, 2024, the Office of the Chief Medical Examiner ("OCME") performed an autopsy on Mr. Ferguson. The Medical Examiner determined that multiple gunshot wounds caused Mr. Ferguson's death and determined that the manner of death was homicide.⁶

⁵ Officer Clasing did not arrive until after the exchange of gunfire, and therefore, she is not a subject officer in this investigation.

⁶ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The Office of the Chief Medical Examiner of Maryland uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. "Homicide" applies when death results from a volitional act committed by another person to cause fear, harm, or death. This term is not a legal determination;

Mr. Ferguson sustained nine gunshot wounds to his chest, abdomen, left hip, left shoulder, back, left arm, and right thigh.

B. Firearms Recovery and Ballistics Information

BPD crime scene technicians responded to the scene and while processing the scene, recovered each of the subject officers' service weapons—all Glock .40 caliber pistols.⁷ They also recovered the handgun Mr. Ferguson fired—a HS Produkt XD .45 caliber pistol.

The BPD Forensic Laboratory Section conducted a firearm analysis, including the weapons, cartridges, and bullets recovered from the scene, Mr. Ferguson's body, and Detective Wellems' vest. BPD determined that Mr. Ferguson's gun was operable and concluded that three of the casings recovered from the scene were fired from Mr. Ferguson's handgun. One .45 caliber bullet was recovered from Detective Wellems' vest, and BPD determined that it was fired from Mr. Ferguson's handgun.

BPD determined all the subject officers' service weapons were operable and that projectiles were fired out of each. Specifically, Detective Wellems fired seven times; Officer Mable fired twelve times; Officer Retamales fired five times; Sergeant Copeland fired seven times; and Officer Sturla fired eight times.

C. Department Policy

BPD provides officers with written policies and procedures, as well as practical training in the use of force. The BPD policies and training materials encompass the written policies and procedures for its sworn officers, which include several written policies relevant to this investigation.

BPD has policies on the use of force, including the use of deadly force (Policy 1115) and the use of firearms (Policy 409). These two policies state an officer “shall use only the force Reasonable, Necessary, and Proportional to respond to the threat or resistance to effectively and safely resolve an incident, and will immediately reduce the level of force as the threat or resistance diminishes.”

The policies define those terms as follows:

- Reasonable: “A member uses Reasonable Force when the member uses no more force than required to perform a lawful purpose.”

rather, it is largely used to assist in the collection of public health statistics. *A Guide for Manner of Death Classification*, First Edition, National Association of Medical Examiners, February 2002.

⁷ The IID and BPD have entered a Memorandum of Understanding (“MOU”), recognizing that on January 12, 2017, BPD entered a federal consent decree, which imposed certain obligations to investigate officer-involved fatalities. Given the IID's statutory obligations pursuant to Maryland law, and for BPD to meet its obligations under the federal consent decree, the MOU states that both agencies' investigators will investigate all officer-involved deaths while cooperating and communicating with one another. The MOU further states that if the IID determines that BPD cannot maintain the level of impartiality required to conduct a thorough investigation, the IID may take over sole investigative responsibility for the case. In the present case, the IID and BPD have collaborated throughout the investigation.

- Necessary: “Force is necessary only when no reasonably effective alternative exists.”
- Proportional: “Proportionality measures whether the force used by the member is rationally related to the level of resistance or aggression confronting the member.”

The use of force policy specifies that “[t]he use of Deadly Force/Lethal Force shall always be the last resort,” and shall occur only when officers “reasonably believe such action is immediately necessary to protect a member or another person from an Imminent Threat of death or Serious Physical Injury.” Before using deadly force, officers “shall consider environmental considerations such as field of fire, backdrop.”

In training, officers are taught that the use of force “must cease when the attacker is incapacitated.”⁸

Further, the BPD’s policies on use of firearms (Policy 409), persons in police custody (Policy 1114), and use of deadly force (Policy 1115) all require officers to “immediately render aid” to injured persons in custody or injured as a result of police action. During the investigation, IID interviewed BPD training instructor Officer Todd Brown, who is primarily responsible for the medical training of officers. Officer Brown clarified that following a critical incident, “immediately” means “as soon as practicable.” Officers are first supposed to ensure scene safety and then make sure they have what they need to move through the preservation of life hierarchy, which Officer Brown listed as civilians and “innocents,” first responders, suspects and associated victims, and then property.

Policies 409 and 1115 state that “[i]f restrained, persons are not to be positioned facedown as it may cause positional asphyxia.... Restrained persons are to be placed in a seated position or on their sides.” Officer Brown reiterated that officers are taught to place injured individuals in the recovery position (on their side) and that they should never be on their back or face down.

Officer Brown also discussed factors that officers must consider regarding providing aid on-scene when they are experiencing high levels of stress and further stated that officers who engage in a use of force have difficulty recovering quickly and moving to the next step of care, whether it be securing the scene, setting up a perimeter, or rendering aid. As a result, he noted that most of the time, a secondary officer assumes those responsibilities.

IV. Legal Analysis

After a criminal investigation, prosecutors must determine whether to bring criminal charges against a person. When making that determination, prosecutors have a legal and ethical duty to only charge a person with a crime when they can meet the State’s burden of proof; that is when the available evidence can prove each element of that crime beyond a reasonable doubt. Prosecutors must also determine whether the accused person could raise an affirmative defense. In those cases, prosecutors not only need to prove the crime, but they also need to *disprove* the defense beyond a reasonable doubt. Ultimately, the decision to bring any charges rests on whether the available evidence is sufficient for prosecutors to meet those standards.

⁸ BPD Firearm Lesson Plan at III.b.

Based on the evidence, three relevant offenses were considered in this case. First is a violation of Maryland’s Use of Force Statute, which makes it a crime for officers to intentionally use excessive force.⁹ The second and third offenses are homicide-related charges due to the intentional killing of a person.

There is insufficient evidence to prove that the subject officers committed the aforementioned crimes. Accordingly, the IID will not pursue criminal charges against any of the subject officers. This report explains in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that any officer committed a crime.

A. Maryland Use of Force Statute

Proving a violation of the Use of Force Statute requires a prosecutor to establish beyond a reasonable doubt that a subject officer:

- (1) used force that was not necessary and proportional to prevent an imminent threat of physical injury to themselves or another person, or to accomplish a legitimate law enforcement objective;
- (2) intended to use force that was excessive, *i.e.* not necessary and proportional under the circumstances; and
- (3) the use of excessive force resulted in serious bodily injury or death;¹⁰

Here, prosecutors would need to establish that one or more of the officers used excessive force, meaning force that was not necessary and proportional under the circumstances, that the officer’s use of excessive force was intentional, and that the force used by the subject officers resulted in Mr. Ferguson’s death.

Determining whether an officer’s use of force is “necessary and proportional” to prevent an imminent threat of physical injury to someone or accomplish a legitimate law enforcement objective is a fact-specific inquiry. Generally speaking, a use of force is considered “necessary and proportional” when an officer had no reasonable alternative under the circumstances, the degree of force was appropriate in light of the officer’s legitimate law enforcement objective, and given the context, the force was not likely to result in harm that was out of proportion or too severe in relation to the officer’s law enforcement objective¹¹ When a factfinder—either a judge or a jury—conducts this analysis, they must consider the totality of the circumstances, including, but not limited to, the nature of the call for service, what occurred in the moments before force was used, what the subject officers knew at the time force was used, and the time and distances involved.¹²

In this case, there is no evidence that the subject officers used force beyond what was necessary and proportional to prevent Mr. Ferguson from posing a danger to themselves or others. With respect to whether the use of force was necessary, Mr. Ferguson drew and pointed his gun at

⁹ See Md. Code Ann., Public Safety §3-524(d)(1).

¹⁰ MPJI-Cr 4:36.

¹¹ For a more detailed discussion of the “necessary and proportional” standard, see [this opinion](#) written by the Office of the Attorney General. 107 Op. Atty. Gen. Md. 33.

¹² *Id.*

the officers, posing an imminent deadly threat. Mr. Ferguson ignored the officers' orders to drop the gun, making the use of force necessary. Mr. Ferguson and the officers exchanged gunfire. In short, Mr. Ferguson's behavior required that the subject officers fire their guns at him for their own safety.

With respect to whether the kind and degree of force used by the subject officers was proportional to the imminent threat of harm presented by Mr. Ferguson, video evidence shows that the use of force was appropriate. When Detective Wellems, Sergeant Copeland, Officer Mable, and Officer Sturla initially approached Mr. Ferguson, none of them had their weapons drawn and they approached without yelling or threats. They drew their weapons only when Mr. Ferguson began standing up and reaching for his waistband. They gave Mr. Ferguson multiple commands to drop the gun, but he failed to do so. Officer Retamales arrived on the scene once Mr. Ferguson and the other subject officers had their guns drawn. The officers used deadly force in direct response to the deadly threat Mr. Ferguson presented.

Based on the evidence, a prosecutor could not prove beyond a reasonable doubt that the subject officers' use of force was not necessary and proportional to prevent an imminent threat of physical injury. Accordingly, the Office of the Attorney General will not charge the subject officers with a violation of the Use of Force Statute in this case.¹³

B. Homicide Offenses

There are four homicide charges that a prosecutor may consider in the State of Maryland:

- First Degree Murder: the willful, deliberate, and premeditated killing of another.¹⁴
- Second Degree Murder: when the defendant intended to kill or inflict such serious injury that death would be the likely result and there was no justification or mitigating circumstances.¹⁵
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.¹⁶
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.¹⁷

As the shooting of Mr. Ferguson was intentional, but not premeditated, Second-Degree Murder and Voluntary Manslaughter are the homicide offenses that remain for consideration.

¹³ Officers Mable and Retamales handcuffed Mr. Ferguson and thereafter, he laid face down for approximately two minutes after the shooting. While these actions are a breach of their duty to render medical aid pursuant to the Maryland Use of Force Statute, the evidence suggests that the breach is the result of high-stress circumstances. Moreover, in light of OCME's autopsy report, there is no evidence that the subject officers' breaches caused Mr. Ferguson's death. Accordingly, the IID determined that the subject officers did not commit a crime with respect to their post-shooting conduct.

¹⁴ MPJI-Cr. 4:17.

¹⁵ MPJI-Cr. 4:17.

¹⁶ MPJI-Cr 4:17.2.

¹⁷ MPJI-Cr. 4:17.8.

If the evidence indicates that there is legal justification or certain mitigating circumstances involved, such as self-defense, then a prosecutor could not prove the remaining homicide offenses against the subject officers.¹⁸ A police officer's use of deadly force is legally justified if it is in complete self-defense, defense of others, or in furtherance of law enforcement related duties.¹⁹

Complete self-defense, also known as perfect self-defense, exists when the accused: (1) was not the initial aggressor (or did not raise the level of force to deadly force); (2) had the subjective belief that they were in immediate or imminent danger of serious harm or death; (3) that belief was objectively reasonable; and (4) used force that was not more than what was reasonably necessary in light of the threat or actual force.²⁰ Complete self-defense is an affirmative defense, which means that a prosecutor must prove beyond a reasonable doubt that one of the elements of self-defense is not applicable.

When an officer has sufficient probable cause to believe that a person poses a "threat of serious physical harm," then the officer may use deadly force,²¹ and the reasonableness of that decision must be viewed from "the perspective of a reasonable police officer similarly situated."²² In practice, this means that a factfinder must consider that police officers often work under rapidly changing circumstances and that what constitutes a reasonable use of force may change from moment to moment.²³

The evidence shows that Mr. Ferguson was the aggressor. He was armed, drew a handgun from his waistband, pointed it at the subject officers, and struck Detective Welles as he exchanged gunfire with the subject officers. Those facts provide a basis for the subject officers to reasonably believe that their lives were in danger. Since the subject officers faced the threat of deadly force from Mr. Ferguson, their use of deadly force against him was reasonably necessary.

Based on the investigation, the actions of the subject officers do not constitute the crime of Second-Degree Murder. Prosecutors are unable to overcome any of the elements of complete self-defense. Moreover, because complete self-defense also applies to Voluntary Manslaughter,²⁴ a prosecutor would be unable to prove any homicide offense in this matter. Accordingly, the Office of the Attorney General will not charge the subject officers with a homicide offense.

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the May 24, 2024, police-involved death of Anthony Ferguson in Baltimore, Maryland. The Office of the Attorney General has declined to pursue charges in this case because based on the evidence obtained in the IID's investigation, none of the subject officers committed a crime.

¹⁸ If a defendant has the requisite *mens rea* to uphold a claim of complete self-defense or defense of others, that is, a subjective belief that their or another's life was in imminent danger that was objectively reasonable under the circumstances, then the claims are valid regardless of any unintended consequences. See *Malaska v. State*, 216 Md. App. 492, 517-522 (2014).

¹⁹ *Id.*; MPJI-Cr 4:17.3.

²⁰ *Porter v. State*, 455 Md. 220, 234-36 (2017); MPJI-Cr 4:17.2.

²¹ *Estate of Blair*, 469 Md. at 23-24 (quoting *Tennessee v. Garner*, 471 U.S. 1, 11 (1985)).

²² *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555 (2000) (quoting *Graham*, 490 U.S. at 397).

²³ *Id.*

²⁴ *State v. Faulkner*, 301 Md. 482, 485 (1984).