

Circuit Court for Montgomery County
Criminal Case No. 129490CR

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2684

September Term, 2016

JOSE A. OBANDO-SEGURA

v.

STATE OF MARYLAND

Woodward, C.J.,
Friedman,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 11, 2017

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

Following a jury trial in the Circuit Court for Montgomery County, Jose Andres Obando-Segura, appellant, was convicted of possession with intent to distribute marijuana. He raises two issues on appeal: (1) whether there was sufficient evidence to sustain his conviction, and (2) whether the trial court erred in allowing the State’s expert witness to offer testimony that, he claims, lacked a “sufficient factual basis.” For the reasons that follow, we affirm.

Obando-Segura failed to make a motion for judgment of acquittal at either the close of the State’s evidence or at the close of all the evidence. Consequently, his claim that there was insufficient evidence to sustain his conviction is not preserved for appeal. *See Chisum v. State*, 227 Md. App. 118, 124 (2016) (noting that absent a motion for judgment of acquittal, “no review of the legal sufficiency of the evidence is even permitted”).

Moreover, we decline Obando-Segura’s request that we review, for plain error, his unpreserved claim that the trial court erred in allowing the State’s expert witness to testify that one pound of marijuana could be used to roll between 1800 and 1850 joints.¹

**JUDGMENT OF THE CIRCUIT
COURT FOR MONTGOMERY
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**

¹ We note that Obando-Segura’s claim that the expert’s testimony lacked a sufficient factual basis is based entirely on a study that was not mentioned by either party at trial.