Circuit Court for Baltimore City
Case No. 123018005

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1127

September Term, 2023

JONATHAN BLAKE GREEN

v.

STATE OF MARYLAND

Wells, C.J.
Leahy,
Woodward, Patrick L.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Leahy, J.

Filed: January 24, 2025

* This is an unreported opinion. The 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, Jonathan Green, was arrested by Baltimore City police on suspicion of drug dealing. During that arrest, Green informed the police that he had a firearm in his car. The police immediately searched his car and discovered the firearm. Before the Circuit Court for Baltimore City, Green moved to suppress his statement to the police as obtained in violation of *Miranda v. Arizona*, 384 U.S. 436 (1966). He also moved to suppress the firearm seized from his car as fruit of the *Miranda* violation. The suppression court denied his motion. Green then pled guilty to possession of a firearm by a prohibited person, Maryland Code (2003, 2022 Repl. Vol.), Public Safety Article ("PS") § 5-133(b), and was sentenced to five years of incarceration. As part of his plea agreement, Green reserved the right to appeal the circuit court's denial of his motion to suppress.

Green timely filed this appeal on August 8, 2023, and presents a single question for our review: "Did the circuit court err in denying Mr. Green's motion to suppress?" Because Green's statement was not the result of police interrogation and the police had probable cause to search his vehicle, we affirm the decision of the circuit court.

BACKGROUND

Our summary of the relevant facts is drawn solely from the facts and information in the record before the suppression court. *Longshore v. State*, 399 Md. 486, 498 (2007).

Green's Arrest

On December 27, 2022, Baltimore City police monitoring City Watch cameras saw Johnathan Green engaging in what appeared to be a drug transaction. Detective John

Wallace, Officer Schreven,[1] and Sergeant Gabriel Barnett approached Green and placed him in handcuffs. As the officers approached Green, he said, "I'm dirty. I got drugs on me. That's all I got on me." Sgt. Barnett searched Green and found drugs, money, a lighter, and car keys on his person. As Sgt. Barnett searched Green, the two men had the following exchange:

MR. GREEN: Oh my God, man, I'm about to have my baby that's how–

[SGT.] BARNETT: Then what are you doing out here, man?

MR. GREEN: Trying to make a couple dollars so I can have my baby, man.

[SGT.] BARNETT: I got you.

Sgt. Barnett put the money back in Green's pocket but seized the lighter and car keys. Sgt. Barnett then began to search for the car matching the key found in Green's pocket. He clicked the button on the key fob and found the car within view, about one block away. Sgt. Barnett went to check the car, leaving Green with the other officers. When Sgt. Barnett started to walk away, the following exchange occurred:

MR. GREEN: You have no warrant to search my car, man.

[OFC.] SCHREVEN: We don't need it.

MR. GREEN: What do you mean?

[OFC.] SCHREVEN: We're allowed to search it.

MR. GREEN: That's not my car.

[1] Ofc. Schreven did not testify at the suppression hearing, and his first name is not mentioned in the transcript.

[OFC.] SCHREVEN: We're allowed to search it in [sic] incident to an arrest.

MR. GREEN: That's not my car.

[OFC.] SCHREVEN: Alright.

Then, after standing silent for about ten seconds, Green stated:

MR. GREEN: There's a gun in there.

[DET.] WALLACE: Yeah, I got him. A what?[2]

MR. GREEN: There's a gun in there. There's [sic] on the door. There's a gun in there.

Det. Wallace relayed Green's statement to Sgt. Barnett by radio. Sgt. Barnett then opened the car and searched it.

Charges and Motions to Suppress

On January 20, 2023, the State filed an indictment in the Circuit Court for Baltimore City, charging Green with four offenses related to the illegal possession of a firearm and two offenses related to the possession of controlled substances. On February 2, 2023, Green filed an omnibus pretrial motion. The omnibus motion requested, among other things, that the court suppress any statement or confession made to police in violation of Green's constitutional and statutory rights. On February 23, 2023, Green filed a second omnibus motion, again requesting that the court suppress his statements to police. On June 6, 2023, Green filed a motion to request a hearing on his pretrial suppression motions.

[2] As the State points out in its brief, in the video played before the suppression court it sounds as if Det. Wallace says, "Yeah, I got you. What?"

Suppression Hearing

On August 1, 2023, the circuit court held a hearing on Green's motion to suppress. Det. Wallace and Sgt. Barnett both testified at the suppression hearing, and portions of their body camera footage were played. Det. Wallace testified to the events of Green's arrest and verified the accuracy of the body camera footage. Sgt. Barnett also testified to the events of Green's arrest, including his search of the car, and verified his body camera footage. Sgt. Barnett testified that he clicked Green's key fob to locate the vehicle, and that when he went to the vehicle, he intended to look inside and see if there was anything in plain view.

The court then heard argument on the motion to suppress. The prosecution argued that Green's statement about a gun in his car was a "blurt," and not the result of police questioning. Therefore, the prosecution argued, the exclusionary rule should not apply. Regarding the search of the car, the prosecution maintained that the police had probable cause to search the vehicle based on the surrounding circumstances and Green's statement that there was a gun in the car.

Defense counsel argued that the police illegally seized Green's car keys, and that the police searched the car without probable cause. Defense counsel insisted that Green's statement about the gun in the car was made in response to police questioning—specifically, the police taking his keys and saying that they could search the car.

The suppression court rendered an oral decision after the parties' arguments, directing its remarks to defense counsel:

> Thank you, Counsel, I disagree. I think the search of the car was legal. This is a case of where the officers on CCTV are watching the defendant in an open-air drug market, which is a place known through the city as a place where individuals openly sell drugs. They've watched on CCTV the defendant do numerous hand-to-hand transactions. They also know that once again handguns and drug distribution go hand in hand.
>
> They come in and detain the defendant. They search him. They get drugs off him as well as car keys. Once again, the detective said it is normal practice for officers to believe that the drug dealers hide either more drugs, the larger stash in vehicles, or guns in vehicles, and he flicked the fob to find out the vehicle. No one says anything to the defendant, no one questions the defendant about the vehicle. No one asks any questions about the vehicle. The defendant is the one who is asking all of the questions and making all of the statements. One officer made a rebuttal statement. Once again they did not ask for, interrogate, question[] the defendant in any manner it was offered freely voluntarily by the defendant.
>
> An officer can take the car keys, hit the fob, find the key– the car and plain view look in the car. It is consistent with a drug investigation for and reasonable and actually it would probably be incompetence for a drug investigation for an officer not to have keys and try to find the vehicle that those keys belong to in a drug investigation which this was.
>
> Officers don't need to see the defendant drive a car. Once again, cars, defendant, drugs, drug dealing are consistent with the actions of the officers which in this case the Court finds by a totality of the circumstances were reasonable and legal. So I will deny your request, Counsel.

Following the suppression court's oral decision, Green pled guilty to count three, possession of a firearm by a prohibited person, PS § 5-133(b). As part of his plea agreement, Green reserved the right to raise the following arguments on appeal:

(1) The vehicle keys taken from the Defendant by the Baltimore Police Department were illegally seized due to lack of probable cause and, by the illegal seizure, any search of the vehicle was also illegal. Therefore, any evidence resulting from the search and seizure of the vehicle should be excluded and not be admissible at trial.

(2) The statement made by the Defendant under detention by the police was

> taken improperly and any search or seizure of evidence resulting from that statement should be excluded and not be admissible at trial.

The court then sentenced Green to a five-year term of incarceration. Green timely filed a notice of appeal.

STANDARD OF REVIEW

"When reviewing a trial court's denial of a motion to suppress, we are limited to information in the record of the suppression hearing and consider the facts found by the trial court in the light most favorable to the prevailing party, in this case, the State." *Washington v. State*, 482 Md. 395, 420 (2022) (citing *Trott v. State*, 473 Md. 245, 253-54 (2021)). "We accept facts found by the trial court during the suppression hearing unless clearly erroneous." *Id.* "In contrast, our review of the trial court's application of law to the facts is *de novo*." *Id.* "In the event of a constitutional challenge, we conduct an independent constitutional evaluation by reviewing the relevant law and applying it to the unique facts and circumstances of the case." *Id.* (citation and internal quotations omitted); *accord State v. McDonnell*, 484 Md. 56, 78 (2023).

DISCUSSION

Green makes two primary arguments on appeal: (1) the trial court erred in denying the motion to suppress Green's statement, and (2) the trial court erred in denying the motion to suppress the results of the search of the vehicle.[3] First, we address whether Green's

[3] Green does not argue before this Court that the police's search of his person violated the Fourth Amendment, nor that the seizure of his car keys was an illegal seizure.

statement that "there's a gun in there" was elicited in violation of *Miranda*. Second, we address whether the police's warrantless search of the car violated the Fourth Amendment.

I.

GREEN'S STATEMENT ABOUT THE GUN

A. Parties' Contentions

Green argues that his statement about the gun was elicited in violation of *Miranda* because he was in custody at the time he made the statement, was not advised of his rights, and was "interrogated" through the police's conduct during his arrest. Green argues that the police effectively interrogated him by: (1) asking him, "[W]hat are you doing out here, man?"; (2) taking his car key and clicking the key fob; and (3) telling Green that they could search the car "incident to an arrest."

Green compares these facts to *Drury v. State*, 368 Md. 331 (2002), in which the Supreme Court of Maryland held that police conducted the "functional equivalent of interrogation" when an officer brought the suspect to an interrogation room for questioning related to charges of theft and burglary, "placed the tire iron and the trash bags containing the stolen magazines on the table[,]" and told the suspect that he was going to send the evidence to be tested for fingerprints. *Id.* at 332, 337. The Supreme Court found that "[t]he only plausible explanation for the officer's conduct is that he expected to elicit a statement" from the suspect. *Id.* at 337. Because the officer failed to provide a *Miranda* warning before eliciting the statement, the Supreme Court held that the statement had to be suppressed. *Id.* at 341.

Green argues that "[b]y clicking the key fob and making clear to Mr. Green that they were going to search his vehicle, the officers were essentially presenting him with the evidence they would ultimately find inside." Green continues:

> Despite the fact that the officers did not ask a direct question about the contents of the vehicle, the prior question asking what Mr. Green was doing, combined with the actions of clicking the key fob and indicating to Mr. Green that they were going to search the vehicle by saying they could do so without a warrant, were reasonably likely to, and in fact did, elicit an incriminating response.

Therefore, Green claims, his statement to police was elicited in violation of *Miranda* and the trial court erred in denying his motion to suppress.

The State does not dispute that Green was in custody when he made the statement about the gun. The State argues that "Green's admission was a voluntary 'blurt,' not the product of interrogation." The State compares the facts surrounding Green's statement to *Smith v. State*, 414 Md. 357 (2010). In *Smith*, a group of police officers executed a search warrant at Smith's apartment. 414 Md. at 361. While executing the warrant, they detained Smith, his girlfriend, and other occupants. *Id.* After police found suspected cocaine in Smith's bedroom, an officer walked by Smith, showed him the drugs, then "kept going and advised other officers there everyone is under arrest." *Id.* at 362-63. The officer testified that he displayed the cocaine to Smith to "show[] him what [had been] found and what [Smith] was going to be arrested for." *Id.* at 363 (alterations in original). Seconds after the officer "announced his intention to arrest Smith and his guests," Smith admitted ownership of the drugs. *Id.* Although Smith had not received *Miranda* warnings, the Supreme Court of Maryland found no *Miranda* violation. *See id.* at 367-72. The Supreme

Court held that Smith was not subject to interrogation when he when he made the statement because "an objective observer would not reasonably infer that [the officer's] statement of conduct was designed to elicit an incriminating response." *Id.* at 372.

Analogizing to *Smith*, the State avers that similarly, in the present case, "the officer's actions were not reasonably likely to yield an incriminating statement." The State contends that Sgt. Barnett "did not ask Green about the car or make comments about finding evidence in it. His taking the keys, clicking the key fob, and walking away did not call for any response, much less an incriminating one." The State also contends that Ofc. Schreven's comment about a warrantless search was not an interrogation because he was directly responding to Green's complaint, and Ofc. Schreven "did not ask Green about the car's contents or opine about what might be found in it." The State asserts that, "at most, the officer's actions put Green on notice that police would likely search his car, and thus were even less likely to reveal an incriminating response . . . than those at issue in *Smith*." The State distinguishes the facts here from those in *Drury*, pointing out that "[t]he officers here did not transport Green to a different location, tell him that he would be subject to questioning, or confront him with recovered evidence." The State urges that "[b]ecause Green's statement about the gun was a voluntary blurt not protected by *Miranda*, this Court should affirm the circuit court's refusal to suppress it."

B. Legal Framework

In the landmark decision *Miranda v. Arizona*, 384 U.S. 436 (1966), the United States Supreme Court established that statements obtained from a defendant during

custodial interrogation are inadmissible at trial unless the defendant has knowingly and voluntarily waived his rights under the Fifth Amendment, including the right to remain silent. Specifically, the police must warn a suspect that:

> he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed.

Miranda, 384 U.S. at 444. The defendant bears the burden of proving both "(1) custody; and (2) interrogation." *Rodriguez v. State*, 258 Md. App. 104, 128 (2023) (quoting *State v. Thomas*, 202 Md. App. 545, 565 (2011)).

Interrogation includes both "express questioning" and "its functional equivalent." *Rhode Island v. Innis*, 446 U.S. 291, 301-02 (1980). The "functional equivalent" of interrogation encompasses any practices "that the police should know are reasonably likely to elicit an incriminating response from the suspect." *Id.* at 301; *accord Drury*, 368 Md. at 335-36. Not all police conduct that happens to yield an incriminating result constitutes interrogation: "police surely cannot be held accountable for the unforeseeable results of their words or actions[.]" *Innis*, 446 U.S. at 301-02. "[T]he test of whether the police should know their words or actions are reasonably likely to elicit an incriminating response is an objective one," and "[w]e focus on the defendant's perspective rather than the police officer's intent." *Blake v. State*, 381 Md. 218, 233-34 (2004). However, "the intent of the police is not irrelevant. If a police officer acts with the purpose of getting a suspect to talk, it follows that the officer has reason to know that his or her conduct was reasonably likely to elicit an incriminating response." *Id.* at 233 (internal citations omitted).

Whether statements by police officers constitute interrogation is "usually fact-dependent[,]" *Phillips v. State*, 425 Md. 210, 218 (2012), and courts consider "the totality of the circumstances." *Prioleau v. State*, 411 Md. 629, 643 (2009) (citing *Hughes v. State*, 346 Md. 80, 95-96 (1997)) "[I]nterrogation 'must reflect a measure of compulsion above and beyond that inherent in custody itself,' and a suspect's incriminating response must be 'the product of words or actions on the part of police.'" *Conboy v. State*, 155 Md. App. 353, 371 (2004) (quoting *Innis*, 446 U.S. at 301, 303). Thus, a defendant's voluntary statements or "blurts" are not protected under *Miranda*. *Grymes v. State*, 202 Md. App. 70, 98 (2011) (citing *Fenner v. State*, 381 Md. 1, 17 (2004)).

Conboy v. State illustrates when police conduct does not rise to the level of interrogation. In *Conboy*, a state trooper arrived at the scene of a single vehicle accident and observed "alcohol containers in the vehicle" and spilled alcohol, "leaving a strong odor." 155 Md. App. at 359. The trooper ran the registration, and after investigation, learned that the vehicle's plates were being used by a man named "David Conboy." *Id.* Afterwards, the trooper returned to the accident scene. *Id.* A taxicab then arrived, containing a passenger who refused to look at the trooper, appeared intoxicated, and reeked of alcohol. *Id.* at 360. The trooper approached the passenger and asked, "Mr. Conboy?" *Id.* The passenger responded, "I'm not David Conboy," thereby inadvertently revealing his true identity. *Id.* at 357, 360.

The trooper asked Conboy to step out of the cab and patted him down to make sure he did not have any weapons. *Id.* at 360-61. During the pat down, the trooper felt a car

key in Conboy's pocket. *Id.* at 361. The trooper went to the crashed vehicle with the key, turned over the ignition, and discovered that Conboy's key fit the crashed vehicle. *Id.* The trooper returned to Conboy and remarked, "it's funny, the key fits." *Id.* Conboy then admitted that he was, in fact, driving the vehicle, and that he had fled the scene because he was drunk. *Id.* This Court found that the trooper's statement, "it's funny, the key fits," was merely an observation made without inviting a response. *Id.* at 373. We found "no evidence that the trooper intended to elicit an incriminating remark from [Conboy] or should have known that [Conboy] would respond to his remark." *Id.* We therefore held that Conboy's admission was not the product of interrogation and was properly admitted into evidence. *Id.*

C. Analysis

The police conduct in this case did not constitute interrogation because it was not reasonably likely to elicit an incriminating response. This case is readily distinguishable from *Drury*. In *Drury*, police transported the suspect to the police station for questioning, set the incriminating evidence in front of him, and told him that the evidence was being sent off for testing. 368 Md. at 333-34. In that context, the police's conduct was clearly the "functional equivalent of interrogation." *See id.* at 338, 341. Here, although Green was in police custody at the time he made the statement about the gun, he was still at the site of his arrest. Ofc. Schreven's comment that police could search the car "incident to an arrest" was made in response to Green's statement that police did not have a warrant, and Ofc. Schreven's comment did not call for any response from Green. Sgt. Barnett testified

that when he clicked the key fob and went to check the vehicle, he intended to look inside and see if anything was in plain view. Like the police actions in *Smith* and *Conboy*, Sgt. Barnett's actions—clicking the key fob and looking for the car—had an investigatory purpose and were not intended to extract a statement out of Green.

The one question that the Police asked Green at the start of the encounter was in response to Green's statement:

> MR. GREEN: Oh my God, man, I'm about to have my baby that's how–
>
> [SGT.] BARNETT: Then what are you doing out here, man?

Green responded to that statement by explaining that he was trying to make some money for his soon-to-be-born child. Significant time passed between that question and Green's statement that there was a gun in the car—including an intervening exchange, initiated by Green, about the police needing a warrant to search the car. This single question did not transform the entire encounter into an interrogation—just like the trooper in *Conboy* asking the suspect if he was "Mr. Conboy" did not transform that encounter into an interrogation. *See* 155 Md. App. at 357, 373. Green's statement about the gun was a voluntary "blurt" rather than the product of interrogation. Therefore, the circuit court properly denied Green's motion to suppress the statement.

II.

WARRANTLESS SEARCH OF THE CAR

A. Parties' Contentions

Green argues that the police lacked probable cause to search his vehicle without a warrant. Green contends that his statement about the gun cannot be used to support a finding of probable cause for two reasons. "First, the record makes clear that the officers had already decided to search the vehicle before Mr. Green mentioned the gun in the car." Green specifically points to Ofc. Schreven's statement that they were allowed to search the vehicle "incident to an arrest."

Second, Green contends that his "statement about the gun in the car amounted to an involuntary waiver of his right to remain silent." Green says that his statement about the gun "was not voluntarily given" because he "was on the street, being handcuffed and searched, with at least three officers present[,]" and "[t]he officers had taken his keys and made clear that they were going to search his vehicle 'incident to an arrest.'" Green argues that because his statement was involuntary, the fruits of the statement must be suppressed. Green contends that without his statement about the gun, police lacked particularized information that he was using his car to store drugs, and therefore did not have probable cause to search the vehicle.

The State counters that Sgt. Barnett developed probable cause to search the vehicle prior to the search based on (1) a CCTV camera capturing Green conducting a "hand-to-hand drug transaction" in an area known as an "open air drug market"; (2) Sgt. Barnett

recovering drugs and car keys from Green's person upon his arrest; (3) Sgt. Barnett's "training and knowledge and experience," which informed him that "it's very common for individuals to keep smaller amounts of [controlled dangerous substances] and or firearms in the vehicle"; and (4) Green's statement that there was a gun in the car door.

The State disputes that officers had already decided to search the car prior to Green's statement. The State points out that it was Ofc. Schreven who made that statement about a "search incident to an arrest"—not Sgt. Barnett, who was searching for the vehicle—and Sgt. Barnett testified that he was not planning to search inside the vehicle before Green's statement was relayed to him. The State further argues that even if Sgt. Barnett did decide to search the car before Green's admission, that would not matter because "[p]robable cause to search a vehicle is assessed 'at the time of the search.'" (Quoting *Pacheco v. State*, 465 Md. 311, 321 (2019)).

The State also argues that the fruits of Green's statement should not be suppressed based on involuntariness. First, the State points to cases holding that a *Miranda* violation alone does not require suppression of derivative evidence. *See United States v. Patane*, 542 U.S. 630, 634 (2004) (plurality opinion); *id.* at 645 (Kennedy, J., concurring); *Coleman-Fuller v. State*, 192 Md. App. 577, 604-12 (2010). Second, the State argues that "[a]s a matter of constitutional due process, a defendant's statement is involuntary if it results from 'police conduct that overbears the will of the suspect and induces the suspect to confess.'" (Quoting *Lee v. State*, 418 Md. 273, 320 (2021)). The State contends that

"[t]his Court should reject Green's claim that his comments about the gun were involuntary, as the record does not suggest that they were coerced."

B. Legal Framework

The Fourth Amendment guarantees "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. Const. amend. IV. "When the police obtain evidence through a search or seizure that violates the Fourth Amendment, exclusion of evidence obtained in violation of these provisions is an essential part of the Fourth Amendment protections." *Bailey v. State*, 412 Md. 349, 363 (2010). The default rule under the Fourth Amendment is that any warrantless search is presumptively unreasonable, "subject only to a few specifically established and well delineated exceptions." *Minnesota v. Dickerson*, 508 U.S. 366, 372 (1993) (internal citations omitted). One such exception is the "automobile exception," which "authorize[s] the warrantless search of a lawfully-stopped vehicle when there is probable cause to believe the vehicle contains contraband or evidence of a crime."[4] *State v. Johnson*, 458 Md. 519, 533 (2018) (citing *United States v. Ross*, 456 U.S. 798, 799 (1982)).

[4] Another exception to the Fourth Amendment's warrant requirement is the "search incident to arrest," which permits the search of a vehicle "when it is reasonable to believe that evidence of the offense of arrest might be found in the vehicle." *Arizona v. Gant*, 556 U.S. 332, 335 (2009). The standard to search a vehicle incident to an arrest is a reasonable suspicion. *See Brown v. State*, 261 Md. App. 83, 102-03 (2024) (citing *Taylor v. State*, 448 Md. 242 (2016)). However, because the State did not argue under this exception before the suppression court or in its brief on appeal, we decline to consider whether the search of Green's vehicle would qualify as a valid search incident to arrest. *See DiPino v. Davis*, 354 Md. 18, 56 (1999) ("[I]f a point germane to the appeal is not adequately raised in a party's brief, the court may, and ordinarily should, decline to address it.").

"The probable cause determination takes into account all the relevant circumstances leading up to the search, 'viewed from the standpoint of an objectively reasonable police officer.'" *Id.* at 533-34 (quoting *Ornelas v. United States*, 517 U.S. 690, 696 (1996)). Courts reviewing a probable cause determination do not view each fact "in isolation," but rather, "as a factor in the totality of the circumstances." *District of Columbia v. Wesby*, 583 U.S. 48, 60 (2018) (citation omitted). "Probable cause 'exist[s] where the known facts and circumstances are sufficient to warrant a man of reasonable prudence in the belief that contraband or evidence of a crime will be found.'" *Johnson*, 458 Md. at 535 (alteration in original) (quoting *Ornelas*, 517 U.S. at 696).

"Under both the Due Process Clause and the Self-Incrimination Clause, a confession made during a custodial interrogation must be voluntary to be admissible." *Madrid v. State*, 474 Md. 273, 320 (2021) (citing *Dickerson v. United States*, 530 U.S. 428, 432-33 (2000)). A confession is involuntary if it is "the result of police conduct that overbears the will of the suspect and induces the suspect to confess." *Id.* at 320 (quoting *Lee*, 418 Md. at 159). The voluntariness test looks to the totality of the circumstances. *Id.*

C. Analysis

In determining whether the police had probable cause to search the vehicle, the suppression court did not err in considering Green's statement about the gun. For an involuntary statement to be excluded under the Due Process Clause and Self-Incrimination Clause, it must be "made during a custodial interrogation." *Madrid*, 474 Md. at 320 (citing *Dickerson*, 530 U.S. at 432-33). As we held in Part I, *supra*, the police conduct in this case

did not rise to the level of interrogation because it was not reasonably likely to elicit an incriminating response. Green's response was a voluntary "blurt," and therefore was properly part of the suppression court's analysis.

Considering the totality of the circumstances, including Green's statement about the gun, police had probable cause to believe that the vehicle contained contraband or evidence of a crime. The police captured Green on CCTV cameras conducting what appeared to be a hand-to-hand drug transaction, and when police apprehended him, they discovered what appeared to be drugs on his person. Police also discovered car keys on his Green's person and found that the keys corresponded to a nearby vehicle. Green voluntarily informed the police that there was a gun in the vehicle. Considering all "the known facts and circumstances[,]" an objectively reasonable police officer would be justified in "the belief that contraband or evidence of a crime [would] be found" in the vehicle. *Johnson*, 458 Md. at 535 (quoting *Ornelas*, 517 U.S. at 696). Therefore, the suppression court did not err in denying Green's motion to suppress evidence of contraband discovered in the vehicle.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED; COSTS TO BE PAID BY APPELLANT.