

Circuit Court for Anne Arundel County
Case No. C-02-CR-23-001234

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1605

September Term, 2023

LEON ELLIS

v.

STATE OF MARYLAND

Beachley,
Albright,
Wright, Alexander, Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 7, 2025

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority

Following a jury trial in the Circuit Court for Anne Arundel County, Leon Ellis, appellant, was convicted of one count of second-degree assault based on his having “leaned down and shoulder-butted” a Southwest flight attendant after she informed him that she was not immediately available to push him in a wheelchair to see a customer service agent. On appeal, he claims that the evidence was insufficient to sustain his conviction because the State failed to prove that he intentionally touched the victim. Rather, appellant asserts that it was “manifestly obvious that the contact resulted from mutual reactions from [the victim] and [himself] as they were staking out reasonable physical space between each other.” This contention, however, is not preserved for appellate review as he did not raise it when making his motion for judgment of acquittal. *See Peters v. State*, 224 Md. App. 306, 353 (2015) (“[R]eview of a claim of insufficiency is available only for the reasons given by [the defendant] in his motion for judgment of acquittal.” (quotation marks and citation omitted)).¹ Consequently, we shall affirm the judgment of the circuit court.

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

¹ Even if the issue were preserved, the jury could reasonably find that appellant intentionally struck the victim based on evidence that: (1) he followed the victim down the jet bridge; (2) he refused to stop advancing toward her despite her telling him to stop four times; (3) he was yelling and “highly agitated” before he made contact with the victim; (4) he hit the victim hard enough to cause her to stumble backwards and drop her radio; and (5) after he hit the victim he called her a “motherf***ing b****.”