

Circuit Court for Prince George's County
Case No. C-16-CR-23-001201

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1820

September Term, 2023

KARL AMADI GRIFFIN

v.

STATE OF MARYLAND

Arthur,
Friedman,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 17, 2024

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

Convicted by a jury in the Circuit Court for Prince George’s County of second degree assault, false imprisonment, and theft, Karl Amari Griffin, appellant, presents for our review a single issue: whether the evidence is sufficient to sustain the convictions of false imprisonment and theft. For the reasons that follow, we shall affirm the judgments of the circuit court.

At trial, the State called Kendall Anderson, who testified that Mr. Griffin is her former boyfriend. On February 12, 2023, Ms. Anderson was in Mr. Griffin’s apartment. While Mr. Griffin was at brunch with his friends, Ms. Anderson “looked through his messages and saw that he had been messaging someone else.” Ms. Anderson called Mr. Griffin “and confronted him about the messages.” Mr. Griffin, who “was on his way back,” became “very upset and angry, . . . sounded flustered[] at some times, and was yelling at” Ms. Anderson.

When Mr. Griffin “arrived home,” he was “upset,” and “and asked what [Ms. Anderson] wanted to talk about.” Mr. Griffin “took his jacket off, put it on the floor, and then quickly became even more upset.” Ms. Anderson said, “we could talk about it,” but Mr. Griffin “suggested that [she] leave.” When Ms. Anderson “went to go get [her] purse,” Mr. Griffin “shielded [her] with his body, to not allow [her] to get [her] purse.” Mr. Griffin “was pushing” Ms. Anderson, and stated: “You cannot leave.” Ms. Anderson “decided to leave [her] purse” and “walked . . . towards the kitchen, to go down the stairs to the front door.” Mr. Griffin “followed [her] there” and “pinned [her] to the wall” with “[h]is palms . . . on [her] shoulders,” biceps, and neck. Mr. Griffin then placed his hands on Ms.

Anderson’s neck and choked her with “[m]edium pressure.” Ms. Anderson felt “very fearful of what was going to happen,” and “couldn’t move from that position.”

Ms. Anderson “reached out to push [Mr. Griffin] off of [her], on his face.” Mr. Griffin “stepped back for a second, and then, punched [Ms. Anderson] in [her] lip.” The “next thing” that Ms. Anderson “remember[ed] is that [she] was pinned to the floor . . . at the top of the stairs.” Mr. Griffin “was sitting on top of [Ms. Anderson], on [her] waist, with [her] arms pinned down, looking over” her. Ms. Anderson “was trying to get up,” but “was not able to.” Ms. Anderson “was able to pull [her] knees up towards [her] chest” and “push [Mr. Griffin] over [her] head” and “down the stairs.”

Ms. Anderson “got up and went back to the living room,” because Mr. Griffin “was at the front door.” Ms. Anderson “began screaming for help, while on the floor, curled in a ball.” When Mr. Griffin asked if Ms. Anderson “really wanted to see him arrested” or “wanted him to go to jail,” she “ran to the window in the living room, opened” it, and “started screaming for help.” Mr. Griffin “pushed [Ms. Anderson] on the ground” and “had [her] pinned, again, in front of the stairs.” Ms. Anderson “managed to get out” and “went and sat in the office chair.” Mr. Griffin stood “[d]irectly in front of” Ms. Anderson, “in [her] face,” “grab[bed her] by [her] sweatshirt,” “ripped it down the front,” “scream[ed] in [her] face,” and “intentionally poked [her] in [her] eye.” When Ms. Anderson stated that she “really just want[ed] to leave,” Mr. Griffin replied: “[Y]ou will be here all night and be punished.” Mr. Griffin “suggested that [Ms. Anderson] just go get [her] purse and leave,” but “every time [she] would stand up to try to go get it,” Mr. Griffin would “push [her] back down, into all of the things in the living room.”

Mr. Griffin told Ms. Anderson “to get [her] phone and call somebody for help,” but “was blocking [her] phone.” Ms. Anderson “got up to try to get it,” but Mr. Griffin “pushed [her] back down” and “slapped [her] in [her] face, from behind.” Mr. Griffin again told Ms. Anderson “to get [her] purse,” but “pushed [her] back down again.” Mr. Griffin “suggested [that Ms. Anderson] call somebody,” but “threw [her] purse across the room.” Mr. Griffin “looked at [Ms. Anderson’s] phone,” saw that her “mom had called” her, and “asked why she was calling.” Mr. Griffin then put the phone “in his back pocket.”

Hearing “a knock on the door,” Mr. Griffin told Ms. Anderson “to stay seated in the office chair, left the living room, turned the corner, [and] went down the stairs.” Ms. Anderson “got up and walked to the top of the stairs,” and “[o]nce [Mr. Griffin] opened the door, [she] yelled ‘[h]elp me’ out the door.” Ms. Anderson saw that “[i]t was [a] police officer at the door.” Mr. Griffin “would not let [the officer] in,” and “ended up slamming the door in his face, and then coming back upstairs to” Ms. Anderson. Mr. Griffin “was trying to not be heard by the police, but would not let [Ms. Anderson] go down there.” Ms. Anderson stated that she would “just go down and talk . . . to the police,” but Mr. Griffin replied: “No. I will.” Mr. Griffin “went down and opened the door again,” and Ms. Anderson “sat in the living room and waited.” A “police officer [then] came up to the living room.” Police officers subsequently returned Ms. Anderson’s phone to her. During the incident, Ms. Anderson suffered “a bruised lip; marks on [her] eyes; cuts on [her] hands; and, bruises on [her] neck, legs, . . . chest, [and] side of [her] face.” Ms. Anderson testified that the back of her phone was now “cracked,” and that the phone had not been cracked prior to February 12, 2023.

The State also called Laurel City Police Officer Kenyone Malone, who testified that he “responded to a call for service for a possible domestic incident” at Mr. Griffin’s apartment. When Mr. Griffin “opened the door,” “he was a little agitated” and “elevated,” and the officer could “hear, in the background, someone saying, ‘[h]elp.’” When Officer Malone saw “the female appear at the top of the steps,” he “asked her to come down.” Mr. Griffin stated “that his house was private property and [the officer] was not allowed to come in.” Officer Malone again “asked the female to come down to talk to” him, and “[s]he began walking down the steps.” Mr. Griffin “turned around, seen her coming down the steps, and then closed . . . and locked the door.” Officer Malone “knocked on the door again,” and when Mr. Griffin answered, the officer stated that he “was there for a call for service, and [he] needed to speak with the female to make sure that she was okay.” Mr. Griffin “replied that everything was okay, and closed the door again.”

Officer Malone “communicated everything that was going on[] over the radio, and waited for additional officers to arrive.” When the officers arrived, Officer Malone’s supervisor, a corporal named Salenieks, knocked on the door. When Mr. Griffin “answered again,” the officers “attempted to go inside, to check on the female.” Mr. Griffin “[s]tretched his arm out” and “said that [the officers] couldn’t come in.” A “struggle ensued,” and Mr. Griffin and the officers “all ended up on the ground, until [the officers were] able to place Mr. Griffin in handcuffs.” The State played for the jury a video recording made by Officer Malone’s “body camera” of the incident.

Mr. Griffin first contends that, for numerous reasons, the “evidence does not support a finding that Mr. Griffin falsely imprisoned Ms. Anderson.” We disagree. Ms. Anderson

presented extensive and detailed testimony as to how Mr. Griffin, who was “upset and angry” with her, prevented her from retrieving her purse and phone, pushed her, stated that she could not leave, pinned her to the wall and floor, choked and punched her, ripped her sweatshirt, poked her in her eye, stated that she would stay in the apartment “all night and be punished,” slapped her in her face, and confiscated her phone. Ms. Anderson also testified that she made multiple attempts to get her purse, leave Mr. Griffin’s apartment, and scream for help, that she was “very fearful of what was going to happen,” and that she was unable to free herself when pinned to the wall or floor. Ms. Anderson further testified that when police arrived, she yelled for help and attempted to go to the front door, but Mr. Griffin prevented her from speaking to police by closing the door and preventing her from approaching it. Finally, Officer Malone testified that Mr. Griffin prevented the officer and his colleagues from speaking with Ms. Anderson by twice closing the apartment door, stretching his arm out to prevent the officers from entering the apartment, and physically struggling with the officers. This evidence was sufficient for a rational trier of fact to conclude beyond a reasonable doubt that Mr. Griffin confined or detained Ms. Anderson, that she was confined or detained against her will, and that the confinement or detention was accomplished by force or threat of force.

Mr. Griffin next contends that the “evidence does not support a finding that Mr. Griffin committed theft of Ms. Anderson’s phone,” because “[n]o testimony or evidence showed that Mr. Griffin intended to permanently deprive Ms. Anderson of her phone.” But, even if the evidence is insufficient to show that Mr. Griffin intended to permanently deprive Ms. Anderson of her phone, Md. Code (2002, 2021 Repl. Vol., 2022 Supp.), § 7-

101 of the Criminal Law Article (“CR”) defines “deprive” not only as “to withhold property of another . . . permanently,” CR § 7-101(c)(1), but also as to withhold it “for a period that results in the appropriation of a part of the property’s value.” CR § 7-101(c)(2). Here, Ms. Anderson testified that Mr. Griffin confiscated her phone and placed it in his pocket. Ms. Anderson further testified that her phone was returned to her not by Mr. Griffin, but by police officers. Finally, Ms. Anderson testified that prior to the day of the offenses, her phone was not damaged, and following the assault, the phone was returned to her in a damaged state. From this evidence, a rational trier of fact could conclude beyond a reasonable doubt that Mr. Griffin intended to withhold the phone for a period that resulted in the appropriation of a part of its value, and hence, the evidence is sufficient to sustain the convictions.

**JUDGMENTS OF THE CIRCUIT COURT
FOR PRINCE GEORGE’S COUNTY
AFFIRMED. COSTS TO BE PAID BY
APPELLANT.**