

Circuit Court for Anne Arundel County  
Case No. C-02-CR-23-000967

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 2286

September Term, 2023

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TRENT C. PALMER

v.

STATE OF MARYLAND

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

JJ.

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PER CURIAM

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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.

Convicted by a jury in the Circuit Court for Anne Arundel County of first degree assault and related offenses, Trent C. Palmer, appellant, presents for our review a single issue: whether the court abused its discretion in declining to issue a curative instruction. For the reasons that follow, we shall affirm the judgments of the circuit court.

At trial, the State called Chantel Scott, who testified that she and Mr. Palmer had been “friends with benefits,” and she had “allowed [Mr. Palmer] to move in” with her at her Odenton residence. On June 15, 2022, Ms. Scott and Mr. Palmer “started arguing,” because Ms. Scott “decided [that she] didn’t want [Mr. Palmer] in the house anymore.” When Mr. Palmer “got mad because [Ms. Scott] cut [his] phone off,” Ms. Scott “ran upstairs and locked [her] bedroom door.” Mr. Palmer “kicked [the] door in,” “grabbed at” Ms. Scott, and “slammed” her to the floor. Mr. Palmer then “put[] his hands around [Ms. Scott’s] throat” and “started squeezing [her] neck.” Mr. Palmer “kept telling” Ms. Scott: “I can kill you if I wanted to.” The “more [Ms. Scott] fought back,” the “tighter [Mr. Palmer] would squeeze [her] neck.” Ms. Scott testified:

It got to a stage where I could barely breathe anymore, and I just knew if he squeezed any longer, I was going to die. I was holding my breath. I was trying to pretend like he’d actually made me pass out to get him to stop choking on me. When he finally let his hands – when he – I don’t even remember when he took his hands off my throat. I just knew that he was off of me, and . . . he had already went downstairs by the time I realized his fingers were off of my throat.

Ms. Scott “could barely breathe,” “hurt to swallow,” and “could feel around [her] neck that it was bruised and swollen.” When asked “what . . . else . . . happened between [her] and Mr. Palmer,” Ms. Scott testified: “I was hit in the face, because my nose was bleeding, I

had blood all over my face. And then I had a le[s]ion . . . where my skin was broken and blood was coming out of my head.”

Mr. Palmer contends that “the trial court abused its discretion when it declined to give a curative instruction after the prosecutor made an improper statement during his closing argument.” At the close of the prosecutor’s closing argument, the following colloquy occurred:

[PROSECUTOR:] Ladies and gentlemen, I’ll get up one more time to address crazy stories that you’re going to hear that have been concocted by Madam Defense Attorney.

[DEFENSE COUNSEL]: Objection.

THE COURT: Sustained.

[PROSECUTOR]: To close, I will ask you to hold Mr. Palmer responsible for what he and only he could have done to find him guilty. Thank you.

[DEFENSE COUNSEL]: I would ask for a curative instruction, Your Honor.

THE COURT: I don’t think it’s necessary at this time, [defense counsel], but you may continue.

Mr. Palmer contends that the court abused its discretion in declining to give the requested curative instruction, because the challenged remark “violated [his] due process right to a fair trial,” and he “was prejudiced as a result.” We disagree. Although “a prosecutor may not impugn the ethics or professionalism of defense counsel in closing argument,” *Smith v. State*, 225 Md. App. 516, 529 (2015), the Supreme Court of Maryland has stated that a “prosecutor’s improper comments . . . require reversal” only “if it appears that the . . . remarks actually misled the jury or were likely to have misled or influenced

the jury to the defendant’s prejudice,” and “[t]o determine whether improper comments influenced the verdict,” a reviewing court “consider[s] the severity of the remarks, the measures taken to cure any potential prejudice, and the weight of the evidence against the accused.” *Donaldson v. State*, 416 Md. 467, 496-97 (2010) (internal citations and quotations omitted). Here, the challenged remark was a single, isolated comment within a closing argument comprising over three pages of transcript. Also, the court twice instructed the jury prior to closing arguments, and once instructed the jury during the prosecutor’s closing argument, that “closing arguments of both counsel are not evidence.” Finally, the prosecutor elicited from Ms. Scott extensive and detailed testimony from which the jury could conclude that Mr. Palmer intentionally strangled her. We conclude that under these circumstances, the remark did not actually mislead, and was not likely to have misled or influenced, the jury to Mr. Palmer’s prejudice, and hence, the court did not abuse its discretion in declining to give a curative instruction.

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