

Circuit Court for Dorchester County  
Case No. C-09-CR-23-000056

UNREPORTED\*  
IN THE APPELLATE COURT  
OF MARYLAND

No. 2317

September Term, 2023

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RHASHEAN JAMES DERELL MOANEY

v.

STATE OF MARYLAND

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Friedman,  
Albright,  
Getty, Joseph M.,  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Friedman, J.

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Filed: March 26, 2026

\* This is an unreported opinion. This 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 MD. RULE 1-104(a)(2)(B).

When a police officer sought to search his car, appellant Rhashean Moaney chose flight instead of a later legal fight. His getaway, however, quickly unraveled when his car broke down, forcing him to pull over and continue his flight on foot. Officers searched the car he left behind, uncovering guns and ammunition. The question before us is whether that subsequent search was lawful.

### **BACKGROUND**

On February 14, 2023, Corporal Jed Wooters of the Cambridge Police Department’s K-9 Patrol Division saw a white Volvo exceeding the speed limit during his routine patrol. Wooters initiated a traffic stop, and upon approaching the vehicle, saw two occupants—the driver and a front-seat passenger—moving about more than usual. Wooters recalled that the driver, Moaney, appeared nervous and rushed, but there was nothing otherwise suspicious about the stop.

Wooters returned to his patrol car with Moaney’s license and registration. He then radioed dispatch to report the stop, provide Moaney’s information, and request backup. Wooters checked Moaney’s registration, which he discovered had expired the previous day. Wooters did not, however, print Moaney a ticket. Dispatch subsequently informed Wooters that Moaney had a “potential warrant.”<sup>1</sup>

Wooters remained in his patrol car until a second officer arrived. Together, they approached Moaney’s car. Wooters instructed Moaney to turn off the engine and exit the

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<sup>1</sup> Whether there was an actual warrant, and, if so, what it was for, remains unclear in the record before us.

car, explaining that he planned to conduct a K-9 sniff of the vehicle's exterior. The passenger, Kashina Dashiell, attempted to exit the car first. Wooters instructed her to remain inside the car so he could first manage Moaney, the driver's, exit. But when Dashiell reassumed her seat, Moaney hit the gas and fled.

Wooters and the assisting officer pursued Moaney in their patrol cars as he sped and weaved through traffic. Wooters radioed his supervisor to report the pursuit and its location. During this call, Wooters saw a white puff of smoke emanating from Moaney's car. Moaney then crossed the road, left his vehicle on the shoulder near a ditch, and fled on foot into nearby woods. Dashiell exited the car and sat on the ground near the roadway. Wooters parked and continued the pursuit on foot.

Approximately five miles away, Corporal James McDaniel of the Criminal Investigations Division was attending a meeting at the Dorchester County Sheriff's Office concerning ongoing cases and criminal intelligence. Moaney was among the subjects discussed. During this meeting, McDaniel heard Wooters' radio call and left to respond to the incident.

While Wooters searched for Moaney in the woods, McDaniel arrived at the scene and found Dashiell sitting on the ground beside Moaney's car, with the driver's side door open. As McDaniel approached the open door, he could smell marijuana.<sup>2</sup> When he looked

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<sup>2</sup> In 2023, the Maryland General Assembly enacted legislation prohibiting law enforcement officers from stopping or searching vehicles solely based on the odor of raw or burnt marijuana. MD. CODE, CRIMINAL PROCEDURE ("CP") § 1-211. This statute became effective on July 1, 2023, and we do not apply it retroactively. *Id.*; *Cutchember v. State*, \_\_\_ Md. \_\_\_, Nos. 39 & 40, Sept. Term 2025, Slip Op. at 21 (Mar. 3, 2026).

inside the car from the open door, he could see raw marijuana and a metal box on the floorboard and a firearm magazine in the backseat. McDaniel opened the box and discovered drug paraphernalia and loose marijuana inside. McDaniel then radioed the other officers to report his findings before interviewing Dashiell.

Wooters later returned to Moaney's car and conducted a thorough search of its interior, examining fast-food bags and wrappers, backpacks, and other containers. During this search, he found two firearm magazines, marijuana, and related paraphernalia. Wooters then opened the trunk, where officers found four guns and ammunition.

Based on these events, the State charged Moaney with several crimes, including attempting to elude police and possession of firearms, ammunition, and controlled substances. Before his jury trial in the Circuit Court for Dorchester County, Moaney moved to suppress the firearms and ammunition Wooters had found when he searched the trunk of Moaney's car, which the suppression court denied. Moaney was convicted and sentenced to fifty-three years' incarceration, suspend all but twenty. He notes this timely appeal.

## **DISCUSSION**

The Fourth Amendment to the United States Constitution, as applied to the states through the Fourteenth Amendment, prohibits unreasonable searches and seizures. U.S. CONST. amend. IV; *Whiting v. State*, 389 Md. 334, 346 (2005). A search occurs when the government interferes with a person, place, or personal effects in which a person has a reasonable expectation of privacy. *Wallace v. State*, 373 Md. 69, 79 (2003). The reasonableness of the search is determined by the totality of the circumstances of each case.

*State v. McDonnell*, 484 Md. 56, 80 (2023). And searches conducted without a warrant are “presumptively unreasonable.” *Henderson v. State*, 416 Md. 125, 148 (2010).

There are several well-established exceptions to the warrant requirement. *Grant v. State*, 449 Md. 1, 16-17 (2016). Relevant here is the automobile exception under the *Carroll* doctrine, which authorizes law enforcement to conduct warrantless searches of automobiles when there is probable cause to believe the vehicle contains contraband or evidence of criminal activity. *Carroll v. United States*, 267 U.S. 132, 149 (1925). This probable cause standard requires that an officer have enough facts and information that would lead a reasonable person to believe that a suspect committed a crime. *Daniels v. State*, 172 Md. App. 75, 89 (2006).

The circuit court denied Moaney’s motion to suppress, finding that Wooters’ search of the trunk was reasonable under the automobile exception to the warrant requirement.<sup>3</sup>

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<sup>3</sup> The circuit court held that the search was also valid as an inventory search. On appeal, the State maintains that the circuit court did not err in this conclusion. We disagree. Unlike the other exceptions to the warrant requirement, inventory searches do not serve an investigatory purpose, but rather a community caretaking function for when police officers impound vehicles. *State v. Paynter*, 234 Md. App. 252, 260-61 (2017). An inventory search is reasonable only if: (1) the vehicle is in lawful police custody; and (2) the search is conducted pursuant to “standardized criteria or [an] established routine.” *Briscoe v. State*, 422 Md. 384, 397 (2011). Here, the search was not reasonable under the inventory search exception because Wooters did not follow the Cambridge Police Department’s standardized towing policy. This policy requires officers to inventory the contents of any towed vehicle and record them on an inventory report. It also prohibits searching closed containers within the vehicle or its compartments and directs officers to hold items valued at \$100 or more for safekeeping. Wooters did not complete an inventory report, but instead relied on his “mental notes” later written in a police report. That report was incomplete: body camera footage showed an iPad in the backseat and vehicle maintenance tools in the trunk—each valued over \$100—yet neither appeared in his documentation. Wooters’ conduct further revealed an investigatory, not administrative, intent. He searched closed containers, food wrappers, and boxes, contrary to the policy. Wooters also set aside

In his appeal, Moaney argues that Wooters' warrantless search of the trunk of his car was neither reasonable nor justified by any exception to the warrant requirement. We disagree. Under the totality of the circumstances, the events preceding the search—the aborted K-9 scan and McDaniel's search—provided Wooters with probable cause to believe Moaney had committed a crime and that his vehicle likely contained evidence or contraband related to that crime. In reaching this conclusion, we consider only the record developed at the suppression hearing. *State v. Wallace*, 372 Md. 137, 144 (2002). We give deference to the suppression court's factual findings, disturbing them only if clearly erroneous, and view established facts in the light most favorable to the prevailing party, here, the State. *Id.* We afford no deference to the suppression court's legal conclusions. *Id.*

Although Moaney challenges only the legality of Wooters' search of his car's trunk, we cannot examine that search in isolation. Under the totality of the circumstances framework, which considers the “unique facts and circumstances of each case,” we must account for all the information Wooters gathered during the two preceding events. *McDonnell*, 484 Md. at 80. Accordingly, we begin our analysis by addressing Wooters' initial, aborted K-9 scan, then turn to McDaniel's subsequent search, and finally the trunk search that Moaney now appeals.

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miscellaneous items with the intent to seize them, but then abandoned them only after finding firearms because “they seemed like nothing now.” Because Wooters did not follow the department's standardized procedures, the search was not a valid inventory search.

## 1. ABORTED K-9 SCAN

Wooters initially stopped Moaney for speeding, then discovered an expired registration, but did not immediately print a citation. He then attempted a K-9 scan based on Moaney’s “nervousness,” but Moaney fled, and the K-9 scan never happened. Had it occurred, our analysis might have been different.<sup>4</sup>

Instead, the significance of this encounter is Moaney’s response: flight. Our courts recognize that a sudden, unprovoked flight in direct response to a search request may indicate consciousness of guilt. *Washington v. State*, 482 Md. 395, 434-35 (2022) (explaining that unprovoked flight is a factor to consider in reasonable suspicion determinations). Moaney’s shift from cooperation to flight might have suggested to a

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<sup>4</sup> We decline to rule on the constitutionality of the aborted K-9 scan for both procedural and substantive reasons. Procedurally, Maryland Rule 8-131(a) prevents this Court from deciding issues not raised or resolved below, and the trial court made no findings on the legality of the scan. Substantively, the record is too incomplete to resolve the question. Traffic stops are Fourth Amendment seizures permitted when an officer has probable cause to believe a traffic violation occurred. *Ferris v. State*, 355 Md. 356, 369 (1999). Police may conduct K-9 scans during a stop, *Illinois v. Caballes*, 543 U.S. 405, 409-10 (2005), but may not extend the stop beyond what is reasonably necessary to complete the initial traffic stop, absent independent reasonable, articulable suspicion of separate criminal activity. *Wilkes v. State*, 364 Md. 554, 575-76 (2001); *Ferris*, 355 Md. at 372. Wooters had probable cause to stop Moaney for speeding. But after learning that Moaney’s registration had expired, Wooters issued no citation and instead waited for backup before reapproaching Moaney and attempting the K-9 scan. The record does not indicate how long he waited or whether that delay was reasonable. If Wooters extended the stop beyond what was reasonably necessary, he needed independent reasonable, articulable suspicion to proceed—which the record does not support. Nervousness alone does not satisfy that standard, *Ferris*, 355 Md. at 387-89, and while Wooters had learned of a possible warrant, he did not know whether one existed or what offense it might have involved. As a result, the record is too incomplete for us to resolve the legality of the search the trial court never addressed.

reasonable officer that Moaney may have feared discovery of contraband and fled to avoid being caught with it. As a result, although the K-9 scan never happened, Moaney's reaction became an important part of the evolving circumstances that informed Wooters' developing suspicion that Moaney had contraband or evidence of a crime in the car.

This aborted K-9 scan led to Moaney's car breaking down and being left on the roadside, and other officers getting involved. McDaniel first saw, and then later found, marijuana and firearm magazines in the car, and he relayed that information to Wooters. That information influenced Wooters' later decision to search the trunk.

## **2. MCDANIEL'S SEARCH**

As Wooters pursued Moaney on foot, McDaniel found Moaney's car parked on the shoulder with the driver's door open. Looking in from outside the car, McDaniel saw marijuana, a metal box on the floor, and a firearm magazine in the backseat. He then opened the box and found more marijuana and drug paraphernalia.

Although Moaney does not challenge this search in his appeal, McDaniel's search was likely proper under the Fourth Amendment for two reasons. *First*, McDaniel had probable cause to search the car. At that time, McDaniel knew that Moaney was a subject of ongoing criminal intelligence investigations, and that Moaney fled a traffic stop after Wooters attempted to conduct a K-9 scan. These facts would lead a reasonable person with the same knowledge to believe that Moaney had committed a crime, that evidence of that crime was in his car, and that he did not want the police to discover that evidence upon a K-9 scan. *Second*, Moaney no longer had a reasonable expectation of privacy for the contents of his car when he left it on the shoulder of the road with the door open. There

cannot be a reasonable expectation of privacy for “what a person knowingly exposes to the public.” *McGurk v. State*, 201 Md. App. 23, 35 (2011) (citing *Katz v. United States*, 389 U.S. 347, 351 (1967)). By leaving his car unattended with the door open, Moaney knowingly exposed the contents of his car to public view. Because McDaniel had probable cause and Moaney lacked a reasonable expectation of privacy in the exposed interior of his car, McDaniel’s continued search of Moaney’s car—opening the metal box found on the floor—was justified, as it was reasonable to believe the box could also contain contraband or evidence of a crime. By communicating his findings to Wooters and other responding officers, McDaniel provided Wooters with additional information that further contributed to Wooters’ reasonable belief that Moaney’s car contained contraband or evidence of a crime.

### **3. WOOTERS’ SEARCH OF THE TRUNK**

We now arrive at the search that Moaney challenges on appeal. After returning from the woods, Wooters searched the interior and trunk of Moaney’s car, where he found guns and ammunition. At this point in time, Wooters had accumulated several additional facts that he did not have when he requested the K-9 scan. And these facts, when viewed collectively, establish probable cause. First and most significantly, Wooters saw Moaney flee immediately after being told that his car would undergo a K-9 scan, an act that reasonably suggested that he feared detection of contraband or evidence of a crime that he had in his car. Second, Wooters had learned from McDaniel that there were, in fact, contraband and evidence—marijuana, guns, and ammunition—in Moaney’s car. Third, the facts that we previously dismissed as inadequate to justify a K-9 scan—Moaney’s

nervousness and his potential warrant—are now relevant components to the totality of the circumstances for the trunk search. *See supra*, note 4 (explaining that nervousness *alone* and a lack of information about the offense associated with a potential warrant do not establish reasonable, articulable suspicion).

Under the totality of these circumstances, a reasonable officer would believe both that Moaney committed a crime and that his vehicle contained contraband or evidence of that crime. Once probable cause existed, Wooters could search any area of the car that could conceal evidence, including the trunk where the guns and ammunition were found. *See Wyoming v. Houghton*, 526 U.S. 295, 301 (1999). Accordingly, Wooters’ search of the trunk of Moaney’s car was proper under the Fourth Amendment. We therefore affirm Moaney’s convictions.

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