

Following a bench trial in the Circuit Court for Baltimore County, Carl Javon Ross, appellant, was convicted of child sexual abuse, second-degree sexual offense, third-degree sexual offense, fourth-degree sexual offense, and second-degree assault. On appeal, Ross contends that the evidence was not sufficient to support his convictions. Specifically, he claims that the sole eyewitness, the victim's sister, was not credible because (1) the lighting conditions where she observed the incident were poor; (2) her testimony was inconsistent with the testimony of other witnesses; (3) her mother testified that she had been lying about other things around the time of the incident; and (4) the State offered no physical evidence to corroborate her testimony. For the reasons that follow, we affirm.

“The standard for our review of the sufficiency of the evidence is ‘whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.’” *Neal v. State*, 191 Md. App. 297, 314 (2010) (citation omitted). “The test is ‘not whether the evidence *should have or probably would have* persuaded the majority of the fact finders but only whether it *possibly could have* persuaded *any* rational fact finder.’” *Painter v. State*, 157 Md. App. 1, 11 (2004) (citations omitted). In applying the test, “[w]e defer to the fact finder’s ‘opportunity to assess the credibility of witnesses, weigh the evidence, and resolve conflicts in the evidence.’” *Neal, supra*, 191 Md. App. at 314 (citation omitted).

Ross’s claims are essentially an invitation for this Court to reweigh the evidence, which we will not do. It is “not a proper sufficiency argument to maintain that the [fact-

No. OBK 1504396

IN THE
SUPREME COURT OF THE UNITED STATES

Carl Ross — PETITIONER
(Your Name)

VS.

State of Maryland — RESPONDENT(S)

PROOF OF SERVICE

I, Carl J. Ross, do swear or declare that on this date, June, 29th, 2018, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

- US Supreme Court 1 First St, N.E. • Washington, D.C. 20543
- Solicitor General of The United States, Room 5614, Department of Justice • 950 Pennsylvania Ave N.W., Washington, D.C. 20530-0001

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June, 29th, 2018

Carl Ross

(Signature)