

KARIM WARD

*Applicant,*

v.

STATE OF MARYLAND

*Respondent*

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IN THE  
COURT OF SPECIAL APPEALS  
OF MARYLAND

Application for Leave to Appeal  
(Post-Conviction)

No. 0539

September Term, 2015

(CC# 21-K-03-032388)

**ORDER**

It is this 5<sup>th</sup> day of May, 2016, by the Court of Special Appeals,

**ORDERED** that the Attorney General shall file with this Court on or before July 5, 2016, a response to the Application for Leave to Appeal filed on April 8, 2015, addressing the following questions:

- I. Did defense counsel provide constitutionally ineffective assistance in failing to object to comments by the prosecutor, in closing and rebuttal, that potential witnesses were afraid to come forward, that State's witnesses had "put[] their lives on the line" by testifying, and that State's witnesses were credible because "they know [what] could happen to them," on the ground that the comments impermissibly suggested that the witnesses had been intimidated?
- II. Did defense counsel provide constitutionally ineffective assistance in failing to object to comments by the prosecutor, in closing and rebuttal, that State's witnesses lived in "a world of fear, . . . retaliation, [and] escalation of violence," that they had "put[] their lives on the line" by testifying, and asking the jury to not "let [the witnesses] down now," on the ground that the comments constituted impermissible "golden rule" argument?
- III. Did defense counsel provide constitutionally ineffective assistance in failing to object to comments by the prosecutor, in closing and rebuttal, that State's witnesses were credible because they came forward to police and to testify, and because "they know [what] could

happen to them,” on the ground that the comments constituted impermissible vouching?

- IV. Did defense counsel provide constitutionally ineffective assistance in failing to object to comments by the prosecutor, in closing, on the intent of those who acquire illegal drugs, on the ground that the prosecutor impermissibly “telegraphed” to the jury that Ward had a prior drug-related conviction?
- V. Did defense counsel provide constitutionally ineffective assistance in failing to request that the jury be instructed to consider the stipulation that Ward had a conviction disqualifying him from possessing a handgun only as to the offense of possession of a firearm by a disqualified person, that they could not use the stipulation as evidence that Ward had propensity to commit the other offenses, and that they could not consider the stipulation in rendering a verdict on the other offenses?

Any factual assertions relied upon by the State in its response must be supported by documentary evidence.

FOR A PANEL OF THE COURT

(CHIEF JUDGE'S SIGNATURE  
APPEARS ON ORIGINAL ORDER)

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Peter B. Krauser,  
Chief Judge