

Leave to Appeal on February 6, 2015. On May 18, 2015, the Maryland Court of Special Appeals issued an order remanding this matter, without affirmance or reversal, to the Circuit Court for Baltimore City. The Maryland Court of Special Appeals remanded the matter to afford Petitioner the opportunity to file a request to re-open the previously concluded post-conviction proceedings and supplement the record in light of the potential alibi witness's January 13, 2015 affidavit. May 18, 2015 Remand Order, at 4. Although the subject of the Remand Order is limited to the alibi issue, the Maryland Court of Special Appeals gave the Court the discretion to "conduct any further proceedings it deem[ed] appropriate" in the event the Court granted Petitioner's request to re-open the previously concluded post-conviction proceedings.² *Id.*

Pursuant to the Remand Order and Crim. Proc. § 7-104, Petitioner filed a Motion to Re-Open Post-Conviction Proceedings on June 30, 2015. On August 24, 2015, Petitioner filed a Supplement to the Motion to Re-Open Post-Conviction Proceedings requesting the Court to consider an additional allegation concerning the reliability of cell tower location evidence that the State used at trial. The State of Maryland (hereinafter "State") filed a Consolidated Response in Opposition to Petitioner's Motion and Supplement to Re-Open Post-Conviction Proceedings on September 23, 2015. Petitioner filed a Reply to the State's Consolidated Response on October 13, 2015.

The Court issued the Statement of Reasons and Order of the Court on November 6, 2015, granting Petitioner's Motion to Re-Open Post-Conviction Proceedings. The Order limited the scope of the re-opened post-conviction proceedings to the following matters: 1) trial counsel's alleged failure to contact a potential alibi witness, Asia McClain (hereinafter

² Given that the subject of the remand is limited to the alibi issue, Petitioner's allegation regarding trial counsel's alleged failure to pursue a plea deal is currently pending before the Maryland Court of Special Appeals.

