

# **CDS – Possession of Marihuana (Marijuana) Ocean City & Salisbury, Md.**

## **Possession of Marijuana**

### **Possession of Marijuana Penalties**

Regarding possession of marijuana more than 10 grams (or as some legal codes spell it – marihuana), here is what you need to know. Possession of this amount is still illegal. Possession of this amount is still illegal. The criminal charge of Possession of Marihuana is governed by section 5-601((a)(1)) of the Criminal Law Article of the Annotated Code of Maryland and it carries possible incarceration of up to a year in jail and a fine of up to \$1000 dollars or both.

### **Possession of Paraphernalia**

The criminal charge of Possession of Paraphernalia is governed by section 5-619((c)(1)) of the Criminal Law Article of the Annotated Code of Maryland and carries a fine of up to \$500 dollars for the first violation.

### **Drug Possession Consequences**

Especially for a young person, a conviction for possession of marijuana (or harder drugs) can have long lasting and dire consequences. I liken it to a pebble being thrown into

a pond it has a ripple effect continuing outward. A criminal conviction is an impediment to gainful employment, (especially with security clearance, licensing or bonding), admission into schools, student loans and any occupation (or even volunteering) dealing with children.

## **Legal Intricacies of Drug Possession**

Possession means having control over a CDS (controlled dangerous substance) marijuana Possession can be either actual or indirect also known as constructive possession in Maryland, and you do not have to be the only person in possession of the controlled substance. Additionally, in Maryland, more than one person may have possession of the drug at the same time. In determining whether a person is in indirect possession of marijuana, the court will look at the surrounding circumstances such as distance between you and the substance, whether you had some possessor interest in the place (for instance if you own the automobile) where the substance was found and whether you were participating with others in the mutual use and enjoyment of the substance.

Be advised that in Maryland there is no minimum quantity of marijuana that must be possessed, thus even a quantity too small to be used by the possessor (you), for the purpose for which possession is prohibited, constitutes possession. Even a microscopic amount of CDS

marijuana will be sufficient for the charge of possession. If you are in possession of paraphernalia that has been previously used; you are probably also in possession of marijuana.

Furthermore, in Maryland, there is no minimum length of time for a person to be in possession of the CDS. In Maryland, constructive possession may be inferred from the surrounding circumstances, provided the evidence demonstrates that you exercised some restraining or direction influence over the CDS-marijuana and or drug you possess.

### **A Local Experienced Lawyer is Extremely Important**

**CALL ME 443-783-2451**

I have personally handled hundreds of drug possession case in the past more than 26 years. You should go to trial with a local, experienced and proven criminal drug defense lawyer. As a local criminal drug defense attorney, I know my way around the law and the court system in Ocean City, Maryland and the surrounding Worcester County. I have worked with (and against) the various District Attorneys' offices and know the characteristics of the local courts and judges. It's this kind of experience

that may help get the charges reduced, plead down, or thrown out completely.

To be clear, a possession of marijuana charge in this county may be treated as a serious offense. So, even if you eventually decide on another attorney, **PLEASE DO NOT TRY TO REPRESENT YOURSELF. MAKE SURE YOU HIRE A QUALIFIED, COMETENT ATTORNEY WITH CRIMINAL TRIAL EXPERIENCE.**