

DISTRICT OF COLUMBIA COURT OF APPEALS

Caesar v. United States

Caesar v. United States · No. 24-CF-0660 · Decided June 11, 2026

SUMMARY

The District of Columbia Court of Appeals affirms Diandre Caesar’s convictions for assault with a deadly weapon and possession of a firearm during a crime of violence arising from a shooting. The court rejects his challenges to the denial of discovery concerning a potential third-party perpetrator and to the admission of an out-of-court identification, and concludes that the requested information did not satisfy the Brady or Winfield standards. The court remands for the trial court to vacate one of the two PFCV convictions because the convictions merge.

CASE DETAILS

COURT	District of Columbia Court of Appeals
WRITING FOR THE COURT	Blackburne-Rigsby, Chief Judge; Howard, Associate Judge; Glickman, Senior Judge
JURISDICTION	District of Columbia Court of Appeals
DECIDED	June 11, 2026
DOCKET	24-CF-0660
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for two counts of assault with a deadly weapon and two counts of possession of a firearm during a crime of violence, challenging discovery, identification evidence, sufficiency of the evidence, and sentencing.
STANDARD OF REVIEW	Discovery and Winfield-relevance rulings are reviewed for abuse of discretion; Brady materiality is reviewed de novo; identification challenges receive deferential review of factual findings and de novo review of ultimate legal conclusions; sufficiency of the evidence is reviewed de novo in the light most favorable to the verdict; fundamental legal errors in sentencing are reviewed de novo, while discretionary sentencing decisions are generally reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published; precedential
PARTIES	Diandre Caesar v. United States

TOPICS

criminal procedure

suppression of evidence

due process

discovery criminal

sentencing

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

evidence

sentencing

QUESTIONS PRESENTED

1. Whether the trial court erred under *Brady v. Maryland* or the Winfield third-party-perpetrator doctrine by denying Caesar's motion to compel names and information concerning witnesses and evidence related to a separate shooting.
2. Whether Smith's out-of-court identification from a single photograph was impermissibly suggestive and unreliable under the Due Process Clause.
3. Whether the trial court erred in permitting Smith's in-court identification after denying suppression of the out-of-court identification.
4. Whether the evidence was sufficient to support Caesar's two convictions for intent-to-frighten assault with a dangerous weapon even though the victims did not see the firearm.
5. Whether the trial court committed reversible legal error by sentencing the ADW and PFCV convictions consecutively.

HOLDINGS

1. The trial court did not abuse its discretion in denying Caesar's motion to compel the names of witnesses and other information concerning the separate February 2023 shooting because the requested evidence was too attenuated and speculative to satisfy either Brady materiality or the Winfield relevance and reasonable-possibility standards.
2. The trial court properly denied suppression of Smith's out-of-court identification because, although a single-photo display was inherently suggestive, the identification was sufficiently reliable under the totality of the circumstances.
3. The trial court did not err in denying suppression of Smith's in-court identification because the reliable out-of-court identification did not taint the later identification.
4. The evidence was sufficient for a rational juror to find beyond a reasonable doubt that Caesar committed intent-to-frighten assault with a firearm against Smith and Greene, even though neither victim saw the gun.
5. The trial court did not commit legal error by imposing consecutive sentences for the ADW and PFCV convictions because D.C. Code § 23-112 establishes consecutive sentences as the default while permitting the court to impose concurrent sentences.

KEY QUOTATIONS

"In sum, we hold that the trial court did not abuse its discretion in denying Mr. Caesar's motion to compel the government's production of the names of witnesses to a shooting committed by another individual using a

different firearm.” (at 17)

“An identification must be both impermissibly suggestive and unreliable to justify suppression on due process grounds.” (at 19)

“The crucial inquiry [is] whether the assailant acted in such a manner as would under the circumstances portend an immediate threat of danger to a person of reasonable sensibility.” (at 29)

“Therefore, there is no error of law in the trial court’s decision to run the PFCV counts consecutively.” (at 36)

FACTUAL BACKGROUND

On June 28, 2022, Diandre Caesar, while mowing grass near a McDonald's in Northeast Washington, D.C., became involved in an altercation with Jeffrey Smith and Shelby Bell Greene after a milkcrate obstructed the couple's vehicle. Caesar approached the vehicle with one hand in a cross-body bag, attempted to open the vehicle door, punched and kicked the vehicle, and allegedly fired shots at it as it drove away. Police recovered shell casings and bullet damage to the vehicle, and Smith identified Caesar from a single police photograph approximately one hour after the incident. A later search connected to a different shooting recovered a firearm that ballistics testing potentially linked to casings from Caesar's case, but the record contained no evidence connecting the later shooting's participants to the charged shooting.

PROCEDURAL HISTORY

A Superior Court jury convicted Caesar of two counts of assault with a deadly weapon and two corresponding counts of possession of a firearm during a crime of violence, while acquitting him of other assault, firearm, ammunition, and child-cruelty charges. The Superior Court denied his motion to compel discovery concerning another shooting, denied suppression of an out-of-court identification, declined to suppress a possible in-court identification, and imposed an aggregate eight-year sentence. The District of Columbia Court of Appeals affirmed the judgment but remanded for vacation of one of the two merged PFCV convictions.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The trial court must vacate one of Caesar's two merged PFCV convictions. The judgment is otherwise affirmed.

CASES CITED

- Brady v. Maryland, 373 U.S. 83, 87 (1963)
- Miller v. United States, 14 A.3d 1094, 1107, 1115 (D.C. 2011)
- Curry v. United States, 658 A.2d 193, 197 (D.C. 1995)
- Turner v. United States, 116 A.3d 894, 913, 915 (D.C. 2015)
- Vaughn v. United States, 93 A.3d 1237, 1254, 1262 & n.29 (D.C. 2014)
- Mackabee v. United States, 29 A.3d 952, 959 (D.C. 2011)

- *Kyles v. Whitley*, 514 U.S. 419, 434 (1995)
- *Bruce v. United States*, 820 A.2d 540, 543 (D.C. 2003)
- *Winfield v. United States*, 676 A.2d 1, 4-5 (D.C. 1996) (en banc)
- (Terry) *Johnson v. United States*, 136 A.3d 74, 80 (D.C. 2016)
- *Boykin v. United States*, 738 A.2d 768, 774 (D.C. 1999)
- (Woredell) *Johnson v. United States*, 552 A.2d 513, 516 (D.C. 1989)
- *Hilton v. United States*, 250 A.3d 1061, 1068, 1073-74 (D.C. 2021)
- *Andrews v. United States*, 179 A.3d 279, 295-96 (D.C. 2018)
- *McCullough v. United States*, 827 A.2d 48, 56 (D.C. 2003)
- *Gethers v. United States*, 684 A.2d 1266, 1271-72 (D.C. 1996)
- *Young v. United States*, 305 A.3d 402, 435-37 (D.C. 2023)
- *Kaliku v. United States*, 994 A.2d 765, 781-82 (D.C. 2010)
- *Morales v. United States*, 248 A.3d 161, 172-73, 177-82 (D.C. 2021)
- *Patterson v. United States*, 384 A.2d 663, 666 (D.C. 1978)
- *Manson v. Brathwaite*, 432 U.S. 98, 112 (1977)
- *Neil v. Biggers*, 409 U.S. 188 (1972)
- *Long v. United States*, 156 A.3d 698, 707, 712-13 (D.C. 2017)
- *Saidi v. United States*, 110 A.3d 606, 613 (D.C. 2015)
- *Chapman v. California*, 386 U.S. 18, 24 (1967)
- *Powell v. United States*, 238 A.3d 954, 957-58 (D.C. 2020)
- *Parks v. United States*, 627 A.2d 1, 5 (D.C. 1993)
- *Joiner-Die v. United States*, 899 A.2d 762, 765 (D.C. 2006)
- *Robinson v. United States*, 506 A.2d 572, 575 (D.C. 1986)
- *Cousart v. United States*, 144 A.3d 27, 32 n.11 (D.C. 2016)
- *Ross v. United States*, 331 A.3d 220, 224 (D.C. 2025)
- *Wicks v. United States*, 226 A.3d 743, 746-47 (D.C. 2020)
- *Rivas v. United States*, 783 A.2d 125, 134 (D.C. 2001) (en banc)
- *Napper v. United States*, 22 A.3d 758, 770 (D.C. 2011)
- *Carter v. United States*, 957 A.2d 9, 14 (D.C. 2008)
- *Bradley v. District of Columbia*, 107 A.3d 586, 595 (D.C. 2015)
- *Williams v. United States*, 345 A.3d 570, 579 (D.C. 2025)
- *Dalton v. United States*, 58 A.3d 1005, 1015 (D.C. 2013)
- *Thorne v. United States*, 46 A.3d 1085, 1089 (D.C. 2012)
- *Frankel v. D.C. Office for Planning & Economic Development*, 110 A.3d 553, 558 (D.C. 2015)
- *Ford v. ChartOne, Inc.*, 908 A.2d 72, 84 (D.C. 2006)
- *Comford v. United States*, 947 A.2d 1181, 1188 (D.C. 2008)
- *United States v. Zannino*, 895 F.2d 1, 17 (1st Cir. 1990)

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