

STATE OF MAINE

v.

HALSTON WILEY

Submitted on Briefs October 21, 2010

Decided November 9, 2010

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, MEAD, GORMAN, and  
JABAR, JJ.

#### MEMORANDUM OF DECISION

Halston Wiley appeals from his conviction for unlawful sexual contact (Class C), 17-A M.R.S. § 255-A(1)(E) (2009), following a jury trial. Contrary to his contentions, the Superior Court (Aroostook County, *Hunter, J.*) did not abuse its discretion or otherwise err in: (1) denying Wiley's request for a continuance to obtain the testimony of a witness, *State v. Damboise*, 1997 ME 126, ¶ 4, 695 A.2d 1203, 1205; (2) allowing the victim-witness advocate to testify, *State v. White*, 460 A.2d 1017, 1023 (Me. 1983); and (3) not finding prosecutorial misconduct based on the prosecutor's closing statement when Wiley did not timely object, *State v. Schmidt*, 2008 ME 151, ¶ 15, 957 A.2d 80, 85; *State v. Clark*, 2008 ME 136, ¶ 7, 954 A.2d 1066, 1069. Furthermore, the court did not abuse its discretion in failing to impose sanctions for what Wiley now alleges was a discovery violation, because it did not deprive Wiley of a fair trial. *State v. Reese*, 2010 ME 30, ¶ 14, 991 A.2d 806, 813.

The entry is:

Judgment affirmed.

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Aroostook County Superior Court docket number CR-2007-204.  
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