

JAMES K. CARVER

v.

STATE OF MAINE

Submitted on Briefs December 1, 2010

Decided December 7, 2010

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

MEMORANDUM OF DECISION

James K. Carver appeals from a denial of his petition for post conviction review entered in the Superior Court (Androscoggin County, *Warren, J.*). We agree with the trial court that Carver failed to properly exhaust administrative remedies as required by 15 M.R.S. § 2126 (2009). Nevertheless, we reach the merits of Carver's assertion that he was unreasonably denied pre-trial and pre-sentence detention credit, which the Department of Corrections was authorized to award pursuant to 17-A M.R.S. § 1253(2)(A) (2009). Contrary to Carver's contention, the record evidence supports the trial court's finding that the Department could reasonably deny him good time credit based on his conduct. *See Parkinson v. State*, 558 A.2d 361, 362-64 (Me. 1989).

The entry is:

Judgment affirmed.

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Androscoggin County Superior Court docket number CR-2009-1072
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