

STATE OF MAINE

v.

CAROL A. MURPHY

Submitted on Briefs November 17, 2010
Decided December 29, 2010

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

MEMORANDUM OF DECISION

Carol A. Murphy appeals from the judgment of the Superior Court (Franklin County, *Murphy, J.*) granting the State an order of possession of animals seized from Murphy's residence pursuant to 17 M.R.S. § 1021 (2009) and ordering payment to the State for the costs of keeping and caring for the animals seized.¹ Contrary to Murphy's contentions, the statute upon which the seizure was based is constitutional; the entry and search of her residence that led to the seizure of her animals did not violate her Fourth Amendment rights; the court properly quashed or refused to enforce subpoenas issued to the District Attorney, potential witnesses in the case, and officials in the Town of Buxton, who had no involvement with the facts of this case; the Superior Court had jurisdiction of the matter; and, without a complete transcript, we must infer that the evidence was sufficient to support the result. *See State v. Malpher*, 2008 ME 32, ¶¶ 7-19, 947 A.2d 484, 486-88; *Jefts v. Dennis*, 2007 ME 129, ¶ 7, 931 A.2d 1055, 1057.

¹ Title 17 M.R.S. § 1021 has since been amended by P.L. 2009, ch. 573, § 1 (effective July 12, 2010).

The entry is:

Judgment affirmed.

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