STATE OF MAINE

v.

GEDEON B. SEMUHOZA

Submitted on Briefs June 16, 2011
Decided July 12, 2011

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

MEMORANDUM OF DECISION

Gedeon B. Semuhoza appeals from the judgment of the Superior Court (Cumberland County, *Cole, J.*) finding him to have committed the crime of violation of condition of release (Class E), 15 M.R.S. § 1092 (2010). Semuhoza contends that there was insufficient evidence to support the court's finding of guilt beyond a reasonable doubt. The identification of Semuhoza as the person who had violated a condition of bail by committing new criminal conduct was based on circumstantial evidence. On review of a finding of conviction based on circumstantial evidence, we must consider the evidence and all inferences that may be reasonably drawn from the evidence in the light most favorable to the State. *State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152, 1158. Based on that standard of review, the evidence in this case is sufficient to support the court's finding of guilt. In the circumstances, it makes no difference that Semuhoza was acquitted, by a jury, of the criminal charge that also served as the basis for the violation of condition of release charge. A court, sitting without a jury, and considering the same facts as are before the jury, is not bound to reach the same result. *See generally State v. Maizeroi*, 2000 ME 187, ¶¶ 19-21, 760 A.2d 638, 644-45, overruled on other grounds by *State v. Aboda*, 2010 ME 125, 8 A.3d 719; *State v. Finnemore*, 1997 ME 44, ¶¶ 6-9, 690 A.2d 979, 980-81.

The entry is:

Judgment affirmed.

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