

STATE OF MAINE

v.

MARC CHRISTENSEN

Submitted on Briefs September 27, 2011

Decided October 6, 2011

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

MEMORANDUM OF DECISION

Marc Christensen appeals from a judgment of conviction of operating under the influence (Class D), 29-A M.R.S. § 2411(A-1)(A) (2010), entered in the Unified Criminal Docket (Cumberland County, *O'Neil, J.*), following a jury trial. Contrary to Christensen's argument on appeal, the suppression court (*Beaudoin, J.*) did not err in denying his motion to suppress. A police officer observed Christensen's vehicle immediately after receiving a reliable report from another police officer that Christensen's vehicle had collided with a deer. Having received such a report, the officer was statutorily obligated to investigate the collision. *See* 12 M.R.S. § 12403(2)(A)-(B) (2010). His brief detention of Christensen's vehicle was therefore a reasonable and appropriate exercise of his community caretaking function and discharge of his statutory duty. *See State v. Pinkham*, 565 A.2d 318, 319 (Me. 1989).

The entry is:

Judgment affirmed.

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**On the briefs:**

Matthew B. Nichols, Esq., Nichols, Webb & Loranger, P.A., Portland, for  
appellant Marc D. Christensen

Stephanie Anderson, District Attorney, Michael Madigan, Asst. Dist. Atty.,  
Prosecutorial District No. Two, Portland, for appellee State of Maine

Cumberland County Unified Criminal Docket docket number CR-2010-5315  
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