

STATE OF MAINE

v.

STEVEN LAMARRE

Submitted on Briefs January 27, 2011

Decided February 8, 2011

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Steven Lamarre appeals from a judgment of conviction for two counts of aggravated trafficking in a schedule W drug within 1000 feet of a school (Class A), 17-A M.R.S. § 1105-A(1)(E)(1) (2010), and two counts of violation of a condition of release (Class E), 15 M.R.S. § 1092(1)(A) (2010), entered on a jury verdict in the Superior Court (Cumberland County, *Warren, J.*). Contrary to Lamarre's contention, and given Lamarre's failure to object during the trial, the court committed no obvious error in admitting the testimony of a detective that she smelled the odor of marijuana in the hallway of Lamarre's apartment building. *See* M.R. Crim. P. 52(b); *State v. Christen*, 2009 ME 78, ¶ 11, 976 A.2d 980, 984. The testimony was neither unfairly prejudicial, nor inadmissible character evidence. *See* M.R. Evid. 403, 404; *State v. Kirk*, 2005 ME 60, ¶¶ 9-17, 873 A.2d 350, 353-55.

The entry is:

Judgment affirmed.

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