

STATE OF MAINE

v.

JIMMY D. TROTTER JR.

Submitted on Briefs November 7, 2011
Decided November 29, 2011

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

MEMORANDUM OF DECISION

Jimmy D. Trotter Jr. appeals from the judgment of the District Court (Presque Isle, *O'Mara, J.*) finding him guilty of operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(A) (2010), following a nonjury trial. Trotter contends that there is insufficient evidence to support the conviction because the State presented no witness who saw him operate the motor vehicle, and he presented a witness who testified that she was the one who was operating the motor vehicle. Reviewing the record most favorably to the court's judgment, the evidence is sufficient to support the conviction with one witness for the State having testified explicitly that she saw Trotter operating the motor vehicle shortly before his arrest by the police. *See State v. Moores*, 2006 ME 139, ¶ 7, 910 A.2d 373.

The entry is:

Judgment affirmed.

On the briefs:

Kari A. Wells-Puckett, Esq., Bemis & Rossignol, LLC, for appellant Jimmy Trotter

Todd R. Collins, District Attorney, Carrie L. Linthicum, Dep. Dist. Atty., Presque Isle, for appellee State of Maine

Presque Isle District Court docket number CR-2010-463
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