

STATE OF MAINE

v.

DONALD NIEVES

Submitted on Briefs March 2, 2011  
Decided March 17, 2011

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

MEMORANDUM OF DECISION

Donald Nieves appeals from the judgment of the Superior Court (Androscoggin County, *Bradford, J.*) entered after a jury trial convicting him of domestic violence assault (Class D), 17-A M.R.S. § 207-A(1)(A) (2010). Nieves contends that the evidence was insufficient to support the jury's verdict. The evidence establishes that Nieves and the complaining witness were father and son, residing in the same household, and that, in the course of a dispute while riding in a motor vehicle, Nieves struck his son twice. That evidence is sufficient to support the judgment, even if the evidence was contested, because the fact-finder, here the jury, decides credibility questions and the weight and significance to be given to the evidence. *See State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152, 1158.

The entry is:

Judgment affirmed.

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