

STATE OF MAINE

v.

JASON REAVIEL

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

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

MEMORANDUM OF DECISION

Jason Reaviel appeals from the judgment of the Superior Court (Penobscot County, *R. Murray, J.*) convicting him, after a jury-waived trial, of two counts of assault (Class C), 17-A M.R.S. § 207(1)(A) (2010). The charges were enhanced to Class C crimes because of prior convictions. 17-A M.R.S. § 1252(4-A) (2010). On appeal, Reaviel contends that the evidence was insufficient to convict him of the assault in Count I. Although, at trial, the court heard conflicting versions of the extent to which Reaviel engaged in assaultive activities toward the individual identified as the victim in Count I, considering the court's capacity to resolve credibility questions and its ability to draw reasonable inferences from the evidence, there was more than sufficient evidence presented for the court to find each element of the charge of assault with regard to Count I, proved beyond a reasonable doubt. *See State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152, 1158.

The entry is:

Judgment affirmed.

---

**Attorney for Jason Reaviel:**

Aaron M. Frey, Esq.  
6 Central Street  
Bangor, Maine 04401

**Attorneys for the State:**

R. Christopher Almy, District Attorney  
Susan J. Pope, Asst. Dist. Atty.  
Prosecutorial District 5  
97 Hammond Street  
Bangor, Maine 04401

Penobscot County Superior Court docket no. CR-2009-1062  
For clerk reference only