

STATE OF MAINE

v.

ZAFAR IQBAL

Submitted On Briefs June 30, 2011

Decided July 5, 2011

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

MEMORANDUM OF DECISION

Zafar Iqbal appeals from a judgment of conviction for theft by unauthorized taking or transfer (Class C), 17-A M.R.S. § 353(1)(A), (B)(6) (2010), entered in the Unified Criminal Docket (Bangor, *Anderson, J.*) following a jury trial. Viewing the facts in the light most favorable to the State, there is ample evidence from which a jury rationally could find, beyond a reasonable doubt, that Iqbal committed each element of the offense. *See* 17-A M.R.S. § 353(1)(A), (B)(6); *State v. Cook*, 2010 ME 81, ¶ 7, 2 A.3d 313, 316. Iqbal's contention—that the court erred in relying on hearsay evidence that Iqbal agreed could be admitted—is not persuasive. Actual loss to the victim is not an element of theft, *see State v. Bouchard*, 2005 ME 106, ¶¶ 12-13, 881 A.2d 1130, 1134-35, and the weight and credibility to be afforded the evidence is exclusively for the jury's determination, *see Cook*, 2010 ME 81, ¶ 7, 2 A.3d at 316. That Iqbal intended to deprive the victim of property is reasonably inferred from the evidence, and the jury was not required to credit Iqbal's version of events. *See Cook*, 2010 ME 81, ¶ 7, 2 A.3d at 316.

The entry is:

Judgment affirmed.

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Bangor Unified Criminal Docket docket number CR-2010-2414
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