

STATE OF MAINE

v.

DAVID J. OSSIE

Submitted on Briefs September 27, 2012
Decided October 2, 2012

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

MEMORANDUM OF DECISION

David J. Ossie appeals from a judgment of conviction of domestic violence assault (Class D), 17-A M.R.S. § 207-A(1)(A) (2011), entered after a jury trial by the trial court (*R. Murray, J.*). On appeal, Ossie challenges the jury's finding of sufficient evidence to disprove his defenses of self-defense, defense of premises, and defense of property. Considering the testimony, in the light most favorable to the State, that Ossie invited the victim into his home, the victim did not act aggressively towards Ossie or his property, and Ossie did not ask the victim to leave the home until after the assault began, the evidence was sufficient for a fact-finder to rationally reject these defenses. *See State v. Wilder*, 2000 ME 32, ¶¶ 25, 46, 748 A.2d 444.

The entry is:

Judgment affirmed.

On the briefs:

N. Seth Levy, Esq., Brunswick, for appellant David J. Ossie

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

Aroostook County Superior Court docket number CR-2010-441
FOR CLERK REFERENCE ONLY