

STATE OF MAINE

v.

ROBERT L. MILLER

Argued February 15, 2012
Decided February 21, 2012

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

MEMORANDUM OF DECISION

Robert L. Miller appeals from his conditional plea of guilty to a charge of operating while license suspended or revoked (Class E), 29-A M.R.S. § 2412-A(1-A)(D) (2011), entered in the Unified Criminal Docket (Bangor, *Anderson, J.*) pursuant to U.C.D.R.P. – Bangor 11(a)(2). Miller challenges the trial court’s earlier denial (*Ende, J.*) of his motion to suppress evidence stemming from the stop of his vehicle that led to the charge against him. Contrary to Miller’s assertions, the trial court did not err in concluding that the arresting officer had an objectively reasonable, articulable suspicion that criminal conduct, a civil violation, or a threat to public safety was occurring when he observed Miller driving. *See State v. Porter*, 2008 ME 175, ¶ 8, 960 A.2d 321; *State v. Tozier*, 2006 ME 105, ¶ 6, 905 A.2d 836; *State v. Gulick*, 2000 ME 170, ¶ 14, 759 A.2d 1085. As a result, the officer’s investigative stop was consistent with both the United States and Maine Constitutions, and the trial court properly denied Miller’s motion to suppress the evidence that the stop produced. *See* U.S. Const. amends. IV, XIV; Me. Const. art. I, § 5.

The entry is:

Judgment affirmed.

On the briefs:

Jeffrey M. Silverstein, Esq., Bangor, for appellant Robert L. Miller

R. Christopher Almy, District Attorney, and Susan J. Pope, Asst. Dist. Atty.,
Prosecutorial District V, Bangor, for appellee State of Maine

At oral argument:

Jeffrey M. Silverstein, Esq., for appellant Robert L. Miller

Susan J. Pope, Asst. Dist. Atty., for appellee State of Maine