

STATE OF MAINE

v.

RUSSELL W. TOWNSEND

Argued October 24, 2012
Decided November 6, 2012

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

MEMORANDUM OF DECISION

Russell W. Townsend appeals from a judgment criminally forfeiting \$8390 from him pursuant to 15 M.R.S. § 5826 (2011) that was entered by the trial court (*Wheeler, J.*) after Townsend's guilty plea to one count of unlawful trafficking in scheduled drugs (Class D), 17-A M.R.S. § 1103(1-A)(H) (2011), and after a hearing on the forfeiture action. Contrary to Townsend's well-argued contention, the court did not err as a matter of law in interpreting 15 M.R.S. § 5821(6) (2011). *See State v. Harrell*, 2012 ME 82, ¶ 4, 45 A.3d 732. In addition, the court's factual findings were not erroneous and the evidence, when viewed in the light most favorable to the State, was sufficient for the court to find all of the \$8390 subject to criminal forfeiture by a preponderance of the evidence. *See* 15 M.R.S. § 5826(4)(A) (2011); *State v. Pierce*, 2006 ME 75, ¶ 21, 899 A.2d 801.

The entry is:

Judgment affirmed.

On the briefs:

N. Seth Levy, Esq., Brunswick, for appellant Russell Townsend

William J. Schneider, Attorney General, Lea-Anne Sutton, Asst. Atty. Gen.,
Office of the Attorney General, Augusta, for appellee State of Maine

At oral argument:

N. Seth Levy, Esq., for appellant Russell Townsend

Lea-Anne Sutton, Asst. Atty. Gen., for appellee State of Maine