

STATE OF MAINE

v.

LYNNE M. MULKERN

Submitted on Briefs November 2, 2012

Decided November 13, 2012

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

MEMORANDUM OF DECISION

Lynne M. Mulkern appeals from the judgment of the trial court (*Cole, J.*) finding her guilty of operating under the influence (Class C), 29-A M.R.S. § 2411(1-A)(C)(3) (2011), following a conditional guilty plea, *see* M.R. Crim. P. 11(a)(2). On appeal, Mulkern contends that the court (*Mulhern, J.*) erred in denying her motion to suppress because the stop of her vehicle was not justified by reasonable articulable suspicion of a violation of law. Review of the record in this matter demonstrates that the police officer, at the time of the stop, had received more than sufficient information from the dispatcher to provide a reasonable articulable suspicion that criminal conduct had taken place, was occurring, or would imminently occur. *See State v. Burgess*, 2001 ME 117, ¶ 7, 776 A.2d 1223. Further, the fact that some of the information conveyed by the dispatcher was from an unidentified source makes no difference to the justification of the stop if the information conveyed had sufficient indicia of reliability, as it did in this case, when the physical observations based on the information conveyed were confirmed by identical physical observations made by the officer arriving at the scene. *See State v. Vaughan*, 2009 ME 63, ¶¶ 10, 12, 974 A.2d 930.

The entry is:

Judgment affirmed.

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**On the briefs:**

Clifford B. Strike, Esq., Strike, Goodwin & O'Brien, Portland, for appellant  
Lynne M. Mulkern

Stephanie Anderson, District Attorney, and Angela Cannon, Asst. Dist.  
Atty., Prosecutorial District No. Two, Portland, for appellee State of Maine