

STATE OF MAINE

v.

JOHN F. KOSSOWAN

Submitted on Briefs April 26, 2012
Decided May 1, 2012

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

MEMORANDUM OF DECISION

John F. Kossowan appeals from a judgment entered in the Unified Criminal Docket (Bangor, *Anderson J.*) finding him guilty of assault on an officer (Class C), 17-A M.R.S. § 752-A(1)(B) (2011), and attempted assault (Class E), 17-A M.R.S. §§ 152(1)(E), 207(1)(A) (2011). Kossowan contends that the trial court erred in finding that he possessed the required culpable mental state necessary for each conviction. *See* 17-A M.R.S. § 38 (2011). Contrary to Kossowan's assertions, the trial court did not err in finding that he intended to commit the acts leading to his convictions. *See State v. Gurney*, 2012 ME 14, ¶ 43 n.7, 36 A.3d 893. The trial court's findings as to Kossowan's culpable mental state were supported by competent record evidence, notwithstanding the conflicting expert testimony. *See State v. Gallant*, 2004 ME 67, ¶ 4, 847 A.2d 413; *State v. Murphy*, 496 A.2d 623, 632 (Me. 1985).

The entry is:

Judgment affirmed.

On the briefs:

Hunter J. Tzovarras, Esq., Bangor, for appellant John Kossowan

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

Bangor Unified Criminal Docket docket number CR-2010-3315
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