

STATE OF MAINE

v.

MAREK A. KWASNIK

Submitted on Briefs June 5, 2012

Decided June 26, 2012

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

MEMORANDUM OF DECISION

Marek A. Kwasnik appeals from the judgment entered in the Unified Criminal Docket (Cumberland County, *Wheeler, J.*) convicting him, upon his conditional plea, M.R. Crim. P. 11(a)(2), of operating after suspension (Class E), 29-A M.R.S. § 2412-A(1-A)(A) (2011). Kwasnik does not contest that on July 3, 2011, in Portland, he was operating a motor vehicle on a public way and, at the time, his license had been suspended and he had notice of the suspension. In the trial court, Kwasnik filed a motion to dismiss contending, as he contends on appeal, that the Department of Health and Human Services's actions leading to suspension of his license for failure to pay child support, and the New Jersey court orders requiring him to pay child support, enforced against him by the Department, violated his due process rights and were not supported by his view of the evidence. We have already reviewed and affirmed the license suspension that led to the charge at issue in this appeal. *See Kwasnik v. Dep't of Health & Human Servs.*, Mem-10-135 (Dec. 7, 2010).¹ Kwasnik's claims on appeal have already been resolved against him and may not be relitigated through a collateral attack upon the

¹ *See also Kwasnik v. Dep't of Health & Human Servs.*, 2006 ME 27, 893 A.2d 610.

prior judicial and administrative adjudications in this challenge to the criminal conviction. *See State v. Higgins*, 338 A.2d 159, 162 (Me. 1975).

The entry is:

Judgment affirmed.

On the briefs:

Marek A. Kwasnik, appellant pro se

Stephanie Anderson, District Attorney, Timothy Wannemacher, Student Intern, and Meg Elam, Dep. Dist. Atty., Prosecutorial District No. Two, Portland, for appellee State of Maine