

STATE OF MAINE

v.

BRUCE W. MERCHANT

Argued October 7, 2013  
Decided October 31, 2013

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

MEMORANDUM OF DECISION

Bruce W. Merchant appeals from a judgment of conviction of unlawful furnishing of scheduled drugs (Class C), 17-A M.R.S. § 1106(1-A)(A) (2012), entered after a bench trial (*A. Murray, J.*), challenging the partial denial of his motion to suppress statements that he made during an interview with the police. Contrary to Merchant's contention, the court did not err in concluding that the references to an attorney that Merchant made early in the interview did not constitute an unambiguous invocation of his right to counsel requiring suppression of the entire interview. *See Davis v. United States*, 512 U.S. 452, 458 (1994); *State v. Nielsen*, 2008 ME 77, ¶ 16, 946 A.2d 382; *State v. McCluskie*, 611 A.2d 975, 977 (Me. 1992).

The entry is:

Judgment affirmed.

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**On the briefs:**

Robert M. Napolitano, Esq., Portland, for appellant Bruce W. Merchant

Janet T. Mills, Attorney General, Patrick C. Larson, Asst. Atty. Gen., and  
Laura Shortill, Student Attorney, Office of Attorney General, Augusta,  
for appellee State of Maine

**At oral argument:**

Robert M. Napolitano, Esq. for appellant Bruce W. Merchant

Laura Shortill, Student Attorney, for appellee State of Maine