

STATE OF MAINE

v.

ERIN L. MCCARTHY

Submitted On Briefs January 31, 2013
Decided February 5, 2013

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

MEMORANDUM OF DECISION

Erin L. McCarthy appeals from a judgment of conviction for stealing drugs (Class C), 17-A M.R.S. § 1109(1), (2)(A) (2012), and unlawful possession of a schedule W drug (Class C), 17-A M.R.S. § 1107-A(1)(B)(4) (2012), entered in the trial court (*A. Murray, J.*) on a jury verdict. Contrary to McCarthy's contention, the court did not err in determining there was no custodial interrogation. *State v. Jones*, 2012 ME 126, ¶¶ 20-24, 55 A.3d 432; *State v. Williams*, 2011 ME 36, ¶¶ 6-8, 15 A.3d 753. Therefore, its denial of her motion to suppress the inculpatory statements she made while speaking to a single police officer for a few moments on a public street in her own neighborhood was proper. *See State v. Bridges*, 2003 ME 103, ¶¶ 23-26, 829 A.2d 247.

The entry is:

Judgment affirmed.

On the briefs:

Hunter J. Tzovarras, Esq., Bangor, for appellant Erin L. McCarthy

William B. Entwisle, Assist. Dist. Atty., Prosecutorial District No. VII,
Ellsworth, for appellee State of Maine

Hancock County Superior Court docket number CR-2011-32
FOR CLERK REFERENCE ONLY