

STATE OF MAINE

v.

RYAN J. BYTHER

Submitted on Briefs January 31, 2013

Decided February 12, 2013

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

MEMORANDUM OF DECISION

Ryan J. Byther appeals from a judgment of conviction of theft by deception (Class B), 17-A M.R.S. § 354(1)(B)(1) (2012), entered in the trial court (*O'Neil, J.*) after a jury trial. When viewed in the light most favorable to the State, the evidence was sufficient for a rational fact-finder to find every element of the offense charged beyond a reasonable doubt. *See, e.g., State v. Haag*, 2012 ME 94, ¶ 17, 48 A.3d 207. Contrary to Byther's contention, the evidence in the record permits a rational jury to conclude that Byther deceived the American Legion, Post 56, and intended to deprive the Legion of a \$50,000 fundraising retainer. 17-A M.R.S. §§ 352(3), 354(1)(A), (B)(1) (2012); *see, e.g., State v. DeGennaro*, 2012 ME 68, ¶ 13, 46 A.3d 1147, *cert. denied*, 133 S. Ct. 448 (2012); *State v. Young*, 1998 ME 107, ¶ 13, 711 A.2d 134.

The entry is:

Judgment affirmed.

On the briefs:

Mark J. Peltier, Esq., Fairfield & Associates, P.A., Lyman, for appellant
Ryan J. Byther

William J. Schneider, Attorney General, and Michael J. Colleran, Asst. Atty.
Gen., Office of the Attorney General, Augusta, for appellee State of Maine

York County Superior Court docket number CR-2011-1022
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