

STATE OF MAINE

v.

TANYA M. DONNELLY

Argued April 11, 2013

Decided April 18, 2013

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

MEMORANDUM OF DECISION

Tanya M. Donnelly appeals from a judgment of conviction of two counts of aggravated furnishing of scheduled drugs (Class C), 17-A M.R.S. § 1105-C(1)(A)(4) (2012); one count of furnishing liquor to a minor (Class D), 28-A M.R.S. § 2081(1)(A)(2) (2012); one count of allowing a minor to possess or consume liquor (Class D), 28-A M.R.S. § 2081(1)(B)(2) (2012); and one count of endangering the welfare of a child (Class D), 17-A M.R.S. § 554(1)(B) (2012), entered by the trial court (*Anderson, J.*) after a jury trial. Contrary to Donnelly's contention, the evidence, when viewed in the light most favorable to the State, was sufficient for a rational jury to find each element of the offense charged beyond a reasonable doubt for both counts of aggravated furnishing of scheduled drugs. *See* 17-A M.R.S. § 1105-C(1)(A)(4); *State v. Williams*, 2012 ME 63, ¶ 49, 52 A.3d 911; *State v. Barnard*, 2001 ME 80, ¶ 12, 772 A.2d 852. Additionally, the court was not required to apply the escape clause set forth in 17-A M.R.S. § 1252(5-A)(B) (2012) when sentencing Donnelly for the first count of aggravated furnishing and therefore did not abuse its discretion by imposing the mandatory minimum term of imprisonment for that count. *See* 17-A M.R.S. § 1252(5-A)(A) (2012); *State v. George*, 1997 ME 2, ¶ 10, 687 A.2d 958.

The entry is:

Judgment affirmed.

On the briefs:

Joseph M. Baldacci, Esq., Law Office of Joseph M. Baldacci, Bangor, for appellant Tanya Donnelly

R. Christopher Almy, District Attorney, and Tracy Collins Lacher, Asst. Dist. Atty., for appellee State of Maine

At oral argument:

Jonathan W. Johnson, Esq., Law Office of Joseph M. Baldacci, Bangor, for appellant Tanya Donnelly

Tracy Collins Lacher, Asst. Dist. Atty., for appellee State of Maine