

STATE OF MAINE

v.

ERNEST B. WEIDUL

Argued June 12, 2013
Decided June 20, 2013

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

MEMORANDUM OF DECISION

Ernest B. Weidul appeals from a judgment of conviction entered by the trial court (*Wheeler, J.*) after a jury trial finding him guilty of manslaughter (Class A), 17-A M.R.S. § 203(1)(A) (2012); aggravated assault (Class B), 17-A M.R.S. § 208(1)(A) (2012); and operating a vehicle while license suspended or revoked (Class E), 29-A M.R.S. § 2412-A(1-A)(A) (2012). Weidul challenges the court's denial of his motion to suppress incriminating statements that he made to officers after his arrest. Contrary to Weidul's contentions, the court did not err in concluding that he knowingly, intelligently, and voluntarily waived his *Miranda* rights prior to making the incriminating statements, *see State v. Coombs*, 1998 ME 1, ¶¶ 14-16, 704 A.2d 387, nor did it err in concluding that under the totality of the circumstances, Weidul made the statements voluntarily, *see State v. Lockhart*, 2003 ME 108, ¶¶ 30-33, 830 A.2d 433. *See also Colorado v. Spring*, 479 U.S. 564, 569, 574 (1987) ("The Constitution does not require that a criminal suspect know and understand every possible consequence of a waiver of the Fifth Amendment privilege.").

The entry is:

Judgment affirmed.

On the briefs:

Thomas J. Connolly, Esq., Portland, for appellant Ernest B. Weidul

Janet T. Mills, Attorney General, and Donald W. Macomber, Asst. Atty. Gen., Augusta, for appellee State of Maine

At oral argument:

Thomas J. Connolly, Esq., for appellant Ernest B. Weidul

Donald W. Macomber, Asst. Atty. Gen., for appellee State of Maine