

STATE OF MAINE

v.

ARTHUR IVAN TOZIER

Submitted on Briefs September 23, 2014
Decided September 25, 2014

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

MEMORANDUM OF DECISION

Arthur Ivan Tozier appeals from a judgment of the Superior Court (Aroostook County, *Cuddy, J.*) on a jury verdict, convicting him of unlawful sexual contact in violation of 17-A M.R.S. § 255-A(1)(E-1)(2013). Contrary to Tozier's contentions, when viewed in the light most favorable to the State, the evidence was sufficient for the jury to find every element of unlawful sexual contact beyond a reasonable doubt. *See State v. Reed*, 2013 ME 5, ¶ 9, 58 A.3d 1130 (discussing standard of review). Additionally, the Superior Court did not abuse its discretion when it allowed the victim's testimony about the defendant acting violently towards the victim's mother. *See M.R. Evid. 403; State v. Glover*, 2014 ME 49, ¶ 8, 89 A.3d 1077.

The entry is:

Judgment affirmed.

On the briefs:

Allan Hanson, Esq., Caribou, for appellant Arthur Ivan Tozier

Todd R. Collins, District Attorney, and James G. Mitchell Jr.,
Asst. Dist. Atty., 8th Prosecutorial District, Caribou, for
appellee State of Maine

Aroostook County (Caribou) Superior Court docket number CR-2011-282
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