

STATE OF MAINE

v.

PAUL HAFFORD

Argued June 10, 2014  
Decided June 19, 2014

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

MEMORANDUM OF DECISION

Paul Hafford appeals from a judgment of conviction for robbery (Class A), 17-A M.R.S. § 651(1)(E) (2013); burglary (Class A), 17-A M.R.S. § 401(1)(B)(1) (2013); and theft by unauthorized taking or transfer (Class B), 17-A M.R.S. § 353(1)(B)(3) (2013), entered by the court (*Cuddy, J.*) after a jury trial. We conclude that the State offered sufficient evidence to prove beyond a reasonable doubt that Hafford was the perpetrator of the charged crimes, and that he was armed or knew that his accomplice was armed at the time of his alleged criminal acts. *See State v. Jackson*, 1997 ME 174, ¶ 15, 697 A.2d 1328 (the identification of the accused “is an issue of fact that is properly submitted to the jury” and may be established “through purely circumstantial evidence”); *State v. McFarland*, 369 A.2d 227, 229 (Me. 1977) (“[U]nless testimony is either inherently improbable and incredible and does not meet the test of common sense, it is the function of a jury to determine the credibility of evidence even though it may be arguably contradictory or unreasonable.”). We also conclude that the State did not commit any obvious error when it made reference in its closing argument to evidence that had been admitted into the record to impeach a witness. *See State v. Dolloff*, 2012 ME 130, ¶ 35, 58 A.3d 1032; *State v. Smith*, 618 A.2d 208, 211 (Me. 1992); *State v. Reynoso*, 604 A.2d 441, 442 (Me. 1992).

The entry is:

Judgment affirmed.

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**On the briefs:**

Sarah Le Claire, Esq., Presque Isle for appellant Paul Hafford

Todd R. Collins, District Attorney, and Carrie L. Linthicum,  
Dep. Dist. Atty., for appellee State of Maine

**At oral argument:**

Sarah Le Claire, Esq., for appellant Paul Hafford

Todd R. Collins, District Attorney, for appellee State of Maine