

STATE OF MAINE

v.

JOSHUA P. THOMAS

Submitted on Briefs April 23, 2015
Decided April 30, 2015

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

MEMORANDUM OF DECISION

Joshua P. Thomas appeals from a judgment of conviction for domestic violence assault (Class C), 17-A M.R.S. § 207-A(1)(B)(1) (2014), and obstructing the report of a crime (Class D), 17-A M.R.S. § 758(1)(A) (2014), entered by the Unified Criminal Docket (Bangor, *Anderson, J.*) after a jury trial. Contrary to Thomas's contentions, there was sufficient evidence for the jury to find Thomas guilty beyond a reasonable doubt of each element of each offense. *See* 17-A M.R.S. §§ 9-A(3), 207(1)(A), 207-A(1)(B)(1), (2), 758(1)(A) (2014); *State v. Medeiros*, 2010 ME 47, ¶ 16, 997 A.2d 95 (“[T]he fact-finder is permitted to draw all reasonable inferences from the evidence, and decide the weight to be given to the evidence and the credibility to be afforded to the witnesses.”).

Further, contrary to Thomas's contentions, there was no obvious error when the clerk read an additional domestic violence assault charge, on which the State was not proceeding, at the outset of the trial. *See* M.R. U. Crim. P. 52(b). The court immediately issued a curative instruction with Thomas's agreement, and Thomas did not object to the instruction, request that the court voir dire the jurors, or move for a mistrial. *Cf. State v. Corson*, 572 A.2d 483, 485-86 (Me. 1990).

The entry is:

Judgment affirmed.

On the briefs:

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Bangor, for appellant Joshua P. Thomas

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