

STATE OF MAINE

v.

BARRE F. HERSI

Submitted on Briefs November 19, 2015
Decided December 1, 2015

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

MEMORANDUM OF DECISION

Barre F. Hersi appeals from a judgment of conviction entered in the Unified Criminal Docket (Cumberland County, *Warren, J.*) after a jury found him guilty of operating after habitual offender revocation (Class C), 29-A M.R.S. § 2557-A(1)(A)(1) (2014), refusing to submit to arrest (Class E), 17-A M.R.S. § 751-B(1)(A) (2014), and violating conditions of release (Class E), 15 M.R.S. § 1092(1)(A) (2014). Contrary to Hersi's contentions, when the evidence is viewed in the light most favorable to the State, the jury reasonably could have found beyond a reasonable doubt every element of the offenses charged. *See State v. Barry*, 495 A.2d 825, 826 (Me. 1985). Additionally, any inaccuracy in the State's description of the evidence during its rebuttal argument to the jury, a claim that Hersi did not preserve for appeal, did not affect the fairness of the proceeding. *See State v. Doloff*, 2012 ME 130, ¶¶ 39, 76, 58 A.3d 1032.

The entry is:

Judgment affirmed.

On the briefs:

Marina L. Sideris, Esq., Camden, for appellant Barre F. Hersi

Stephanie Anderson, District Attorney, and William J. Barry,
Asst. Dist. Atty., Prosecutorial District Two, Portland, for
appellee State of Maine

Cumberland County Unified Criminal Docket docket number CR-2014-4963
FOR CLERK REFERENCE ONLY