

STATE OF MAINE

v.

CHRISTOPHER T. JOHNSON

Submitted on Briefs September 29, 2016  
Decided November 3, 2016

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

MEMORANDUM OF DECISION

Christopher Johnson appeals from a judgment of conviction for one count of operating under the influence, (Class D), 29-A M.R.S. § 2411(1-A)(A) (2015), entered by the trial court (Hancock County, *Mullen, J.*) following a conditional guilty plea entered upon the court's denial of Johnson's motion to suppress evidence from a traffic stop. For the reasons below, we affirm.

Johnson was stopped at night by a Maine State Game Warden who observed him stop and start his vehicle several times with headlights illuminated next to a field where the warden knew deer could occasionally be found. Johnson was charged with operating under the influence in violation of 29-A M.R.S. § 2411(1-A)(A) (2015). He entered a conditional guilty plea, and filed a motion to suppress all evidence from the stop and seizure, which the court denied.

Contrary to Johnson's contentions, the warden had an objectively reasonable, articulable suspicion that Johnson was violating prohibitions against nighttime hunting, and therefore properly stopped Johnson's vehicle;

*see State v. Porter*, 2008 ME 175, ¶ 8, 960 A.2d 321 (stating that a reasonable suspicion “need only be more than speculation or an unsubstantiated hunch.”). The warden’s personal knowledge of the area and nineteen years of experience as a game warden led to the warden’s suspicion that Johnson’s operation of the vehicle was consistent with methods used by nighttime hunters to illuminate a field with headlights in order to find game. *See State v. Forsyth*, 2002 ME 75, ¶ 16, 795 A.2d 66 (“A trial court may consider the factual inferences drawn by police officers . . .”). The court did not err in denying his motion to suppress, we therefore affirm Johnson’s conviction.

The entry is:

Judgment affirmed.

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**On the briefs:**

Jeffrey C. Toothaker, Esq., Ellsworth, for appellant  
Christopher T. Johnson

Matthew J. Foster, District Attorney, and Delwyn E. Webster,  
Asst. Dist. Atty., Prosecutorial District VII, Ellsworth, for  
appellee State of Maine