

STATE OF MAINE

v.

MARK D. MEIERDIRK

Submitted on Briefs November 29, 2016
Decided December 6, 2016

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

MEMORANDUM OF DECISION

Mark D. Meierdirk appeals from a judgment of conviction entered by the trial court (Penobscot County, *Anderson, J.*) after a jury found him guilty of three counts of sexual abuse of a minor (Class C), 17-A M.R.S. § 254(1)(A-2) (2015). Contrary to Meierdirk's contention, the jury could rationally find beyond a reasonable doubt from the evidence admitted at trial that he did not reasonably believe that the victim was at least sixteen years of age when he engaged in sexual acts with her. *See State v. McBreairty*, 2016 ME 61, ¶ 14, 137 A.3d 1012. Accordingly, the jury was entitled to conclude that the State met its burden to disprove the statutory defense set out in 17-A M.R.S. § 254(2) (2015). *See* 17-A M.R.S. § 101(1) (2015).¹

The entry is:

Judgment affirmed.

¹ Title 17-A M.R.S. § 101(1) has since been amended, but not in any way that affects this appeal. P.L. 2015, ch. 431, § 35 (effective July 29, 2016).

On the briefs:

Jeffrey C. Toothaker, Esq., Ellsworth, for appellant Mark D. Meierdirk

R. Christopher Almy, District Attorney, and Susan J. Pope, Asst. Dist. Atty., Prosecutorial District V, Bangor, for appellee State of Maine

Penobscot County Unified Criminal Docket docket number CR-2015-487
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