

STATE OF MAINE

v.

GAVON C. KENNEDY

Submitted on Briefs May 26, 2016  
Decided June 2, 2016

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

MEMORANDUM OF DECISION

Gavon C. Kennedy appeals from a judgment of conviction for operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(A) (2015), entered by the Superior Court (Hancock County, *Mallonee, J.*) following a conditional plea. The motion court (*R. Murray, J.*) denied Kennedy's motion to suppress the evidence obtained from the stop. Contrary to Kennedy's contentions, the court did not err in concluding that the officer had reasonable, articulable suspicion to stop Kennedy's vehicle after observing Kennedy drive down the middle of the road, swerve within his lane, touch the fog line several times, and effectuate a quick and wide turn into a parking lot or in denying his motion to suppress. *See State v. Laforge*, 2012 ME 65, ¶ 13, 43 A.3d 961; *State v. Porter*, 2008 ME 175, ¶¶ 8-12, 960 A.2d 321.

The entry is:

Judgment affirmed.

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**On the briefs:**

Jeffrey C. Toothaker, Esq., Ellsworth, for appellant Gavon C. Kennedy

Matthew J. Foster, District Attorney, and Delwyn E. Webster, Asst. Dist. Atty., Prosecutorial District No. VII, Ellsworth, for appellee State of Maine

Hancock County Unified Criminal Docket docket number CR-2013-215  
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