

STATE OF MAINE

v.

LUKE L. GARDINER

Submitted on Briefs November 29, 2017
Decided December 7, 2017

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

MEMORANDUM OF DECISION

Luke L. Gardiner appeals from an order of the Superior Court (Sagadahoc County, *Billings, J.*) denying his motion to suppress evidence gathered after an investigatory stop of his vehicle, which led to the entry of a conditional plea and a judgment of conviction (*Dobson, J.*) on the charge of operating under the influence, 29-A M.R.S. § 2411(1-A)(A) (2016). *See* M.R.U. Crim. P. 11(a)(2) (2016). Contrary to Gardiner's contention, the court did not err when it determined that the law enforcement officer had a reasonable articulable suspicion that Gardiner was operating under the influence at the time of the investigatory stop of Gardiner's vehicle. *State v. Simons*, 2017 ME 180, ¶ 12, 169 A.3d 399; *State v. Gerry*, 2016 ME 163, ¶¶ 11-12, 150 A.3d 810.

The entry is:

Judgment affirmed.

Tina Heather Nadeau, Esq., The Law Office of Tina Heather Nadeau, PLLC,
Portland, for appellant Luke L. Gardiner

Alexander R. Willette, Asst. Dist. Atty., Prosecutorial District VI, Bath, for
appellee State of Maine

Sagadahoc County Unified Criminal Docket docket number CR-2016-869
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