

STATE OF MAINE

v.

DONNA M. PAGNANI

Submitted on Briefs April 27, 2017
Decided May 4, 2017

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

MEMORANDUM OF DECISION

Donna M. Pagnani appeals from a judgment of the District Court (Lewiston, *Oram, J.*) adjudicating that she committed the civil traffic infraction of speeding. *See* 29-A M.R.S. § 2073(3) (2016). Contrary to Pagnani's argument, when viewed in the light most favorable to the State, as the prevailing party, there is sufficient competent record evidence to support the court's adjudication, by a preponderance of the evidence, that Pagnani committed the traffic offense of speeding.¹ *See* 29-A M.R.S. §§ 103(4), 2073(3), 2075(4)(A) (2016); M.R. Civ. P. 80F(j); *State v. Soucy*, 2012 ME 16, ¶ 10, 36 A.3d 910.

¹ The State's brief included an argument that the appeal is not justiciable because Pagnani admitted to the offense of speeding. Although the docket record reflects that Pagnani admitted to the charge, the audio recording of the hearing unequivocally establishes that the court in fact conducted a contested testimonial hearing in the matter and that Pagnani did not admit to any version of the offense.

The entry is:

Judgment affirmed.

Donna M. Pagnani, appellant pro se

Andrew S. Robinson, District Attorney, and Patricia A. Mador, Asst. Dist. Atty.,
Androscoggin County District Attorney's Office, Lewiston, for appellee State of
Maine

Violations Bureau case number TI-2016-1150943
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