

STATE OF MAINE

v.

MARY ANNE E. WELCH

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

Mary Anne E. Welch appeals from a judgment of conviction entered by the court (Aroostook County, *Stewart, J.*) after a jury trial, for theft of a firearm by unauthorized taking (Class B), 17-A M.R.S. § 353(1)(B)(2) (2016), and theft by unauthorized taking (Class C), 17-A M.R.S. § 353(1)(B)(4) (2016). Contrary to her contentions, the court did not abuse its discretion in limiting cross-examination of her daughter's father—the complaining witness—about custody and visitation issues when she was not precluded from questioning him about inconsistent statements that he had made in a collateral protection from abuse complaint that he had filed in which he had sought exclusive custody of their daughter. *See* M.R. Evid. 401, 611; *State v. Butsitsi*, 2013 ME 2, ¶ 13, 60 A.3d 1254; *see also State v. Day*, 538 A.2d 1166, 1167-68 (Me. 1988); *State v. White*, 456 A.2d 13, 15 (Me. 1983).

The entry is:

Judgment affirmed.

John W. Tebbetts, Esq., Law Office of Christine M. Smith, Presque Isle, for
appellant Mary Anne Welch

John M. Pluto, Assistant District Attorney, Prosecutorial District 8, Caribou, for
appellee State of Maine

Aroostook County Superior Court (Caribou) docket number CR-2014-456
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