

STATE OF MAINE

v.

DANIELLE JONES

Argued October 13, 2017  
Decided October 24, 2017

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

MEMORANDUM OF DECISION

Danielle Jones appeals from a judgment entered in the Unified Criminal Docket (Kennebec County, *E. Walker, J.*) finding that two dogs she owned were dangerous and, because they inflicted serious bodily injury on a person and had a history of a prior assault, ordering that they be euthanized. *See* 7 M.R.S. § 3952(1) (2016).

In her brief on appeal, Jones lists only one issue that she presented to the trial court, namely, the sufficiency of the evidence supporting the court's finding that her dogs caused serious bodily injury to a person. She has not presented an actual argument on appeal in support of that titular challenge, however, and therefore she has waived it for appellate review. *See* M.R. App. P. 9(a)(3), (5); *MacArthur v. Dead River Co.*, 312 A.2d 745, 746 (Me. 1973) (stating that "although included in the statement of points on appeal, [if a] point [is] not briefed or argued[,] we consider it to have been abandoned"). That challenge is unpersuasive in any event because competent evidence in the record supports the finding. *See Smith v. Hawthorne*, 2002 ME 149, ¶ 15, 804 A.2d 1133.

None of Jones's remaining assertions, whether merely included in the statement of points on appeal or developed in her brief, was raised during the trial court proceedings, and consequently those contentions are also waived. *See In re Anthony R.*, 2010 ME 4, ¶ 8, 987 A.2d 532 (stating that "we will not reach an issue, even a constitutional challenge to an action, if the issue is presented for the first time on appeal"). To the extent that any of Jones's arguments are cognizable on appeal, we review the record for obvious error, *see Jusseaume v. Ducatt*, 2011 ME 43, ¶ 11, 15 A.3d 714, and find none.

The entry is:

Judgment affirmed.

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Maeghan Maloney, District Attorney, and Tracy DeVoll, Asst. Dist. Atty. (orally), Prosecutorial District IV, Augusta, for appellee State of Maine