

STATE OF MAINE

v.

SARAH B. CONWAY

Argued June 14, 2018
Decided June 21, 2018

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

MEMORANDUM OF DECISION

Sarah B. Conway appeals from a judgment of conviction entered by the trial court (Kennebec County, *Marden, J.*) after a jury found her guilty of gross sexual assault (Class A), 17-A M.R.S. § 253(1)(C) (2017).¹ Contrary to Conway's contention, the court's instruction on the statutory defense of duress, 17-A M.R.S. § 103-A (2017), reviewed for obvious error because she did not object to it at trial, *State v. Haji-Hassan*, 2018 ME 42, ¶ 26, --- A.3d ---, correctly informed the jury of the State's burden to disprove the defense beyond a reasonable doubt, *see id.*; 17-A M.R.S. § 101(1) (2017), and therefore did not constitute error depriving her of a fair trial, *see State v. Lajoie*, 2017 ME 8, ¶ 15, 154 A.3d 132.

¹ The court also entered judgment on two counts of endangering the welfare of a child (Class D), 17-A M.R.S. § 554(1)(C) (2017). Before the trial on the charge of gross sexual assault, Conway pleaded guilty to those charges, and they are not at issue on this appeal.

The entry is:

Judgment affirmed.

Rory A. McNamara, Esq. (orally), Drake Law, LLC, Berwick, for appellant Sarah B. Conway

Maeghan Maloney, District Attorney, and Paul Cavanaugh II, Dep. Dist. Atty. (orally), Prosecutorial District IV, Augusta, for appellee State of Maine

Kennebec County Unified Criminal Docket docket number CR-2015-2021
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