

STATE OF MAINE

v.

THOMAS G. COFFILL III

Submitted on Briefs January 17, 2019
Decided January 24, 2019

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

MEMORANDUM OF DECISION

Thomas G. Coffill III appeals from a judgment of conviction of domestic violence assault (Class C), 17-A M.R.S. § 207-A(1)(B)(2) (2017), entered by the court (Sagadahoc County, *Billings, J.*) after a jury trial. Contrary to Coffill's arguments, the court did not err or abuse its discretion, by admitting, over his objections, two letters written by him pursuant to M.R. Evid. 401, 403, and 802. *See State v. Michaud*, 2017 ME 170, ¶ 8, 168 A.3d 802; *Walton v. Ireland*, 2014 ME 130, ¶ 12, 104 A.3d 883; *State v. Dolloff*, 2012 ME 130, ¶ 24, 58 A.3d 1032; *see also Gierie v. Mercy Hosp.*, 2009 ME 45, ¶ 27, 969 A.2d 944 ("We afford a trial court wide discretion to determine whether the danger of unfair prejudice posed by relevant evidence substantially outweighs the value of proffered evidence under M.R. Evid. 403."). The letters, which discuss the victim's injury and contain an acknowledgement that Coffill injured her, are relevant, *see* M.R. Evid. 401, do not create a substantial risk of unfair prejudice, *see* M.R. Evid. 403, and are admissible as statements of an opposing party, *see* M.R. Evid. 801(d)(2). Finally, the court did not abuse its discretion in granting the State's motion in limine because the letters were provided to defense counsel two months before trial and Coffill suffered no unfair surprise or prejudice. *See State v. Adams*, 2014 ME 143, ¶ 8, 106 A.3d 413; *State v. Foy*, 662 A.2d 238, 242 (Me. 1995).

The entry is:

Judgment affirmed.

Christopher Ledwick, Esq., Brunswick, for appellant Thomas G. Coffill III

Jonathan R. Liberman, District Attorney, and Alvah J. Chalifour, Jr., Asst. Dist. Atty., Prosecutorial District 6, Bath, for appellee State of Maine

Sagadahoc County Unified Criminal Docket docket number CR-2017-781
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