

STATE OF MAINE

v.

ERNEST P. LANDRY

Argued November 6, 2019
Decided November 26, 2019

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

MEMORANDUM OF DECISION

The State appeals from an order of the trial court (Hancock County, *Roberts, J.*) granting Ernest P. Landry's motion to suppress evidence seized after his arrest. Given the totality of the circumstances presented in the record on appeal, we discern no error of fact or law in the trial court's judgment.¹ See *State v. Bailey*, 2010 ME 15, ¶ 16, 989 A.2d 716.

The entry is:

Judgment affirmed.

¹ On this record, we are unable to address whether 12 M.R.S. § 10353(2)(G) (2018) may authorize a suspicionless yet constitutionally-sound stop of an ATV on public land. See *State v. McKeen*, 2009 ME 87, ¶ 16, 977 A.2d 382.

Matthew J. Foster, District Attorney, and Delwyn E. Webster, Asst. Dist. Atty. (orally), Prosecutorial District No. VII, Ellsworth, for appellant State of Maine

Robert Van Horn, Esq. (orally), Van Horn Law Office, Ellsworth, for appellee Ernest P. Landry

Hancock County Unified Criminal Docket docket number CR-2018-842
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