

STATE OF MAINE

v.

NGUZO SABA CRUCIAL

Submitted on Briefs May 28, 2020
Decided June 11, 2020

Panel: GORMAN, JABAR, HUMPHREY, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Nguzo Saba Crucial appeals from a judgment of conviction of robbery (Class A), 17-A M.R.S. § 651(1)(E) (2020); robbery (Class B), 17 M.R.S. § 651(1)(B)(2) (2020); burglary (Class B), 17-A M.R.S. § 401(1)(B)(4) (2020); criminal threatening with a dangerous weapon (Class C), 17-A M.R.S. § 209(1) (2020); 17-A M.R.S. § 1252(4) (2018);¹ burglary of a motor vehicle (Class D), 17-A M.R.S. § 405(1)(A) (2020); assault (Class D), 17-A M.R.S. § 207(1)(A) (2020); and theft by unauthorized taking (Class E), 17-A M.R.S. § 353(1)(A) (2020), entered by the trial court (Penobscot County, *Jordan, J.*) after a jury-waived trial. Contrary to Crucial's contentions, the court did not commit clear error or abuse its discretion by admitting the hotel employee's testimony regarding the victim's hearsay statements. *See State v. Curtis*, 2019 ME 100, ¶¶ 35-37, 210 A.3d 834; *State v. Watts*, 2007 ME 153, ¶¶ 5, 9, 938 A.2d 21. We also reject Crucial's argument that the evidence was insufficient to support the court's finding, beyond a reasonable doubt, that Crucial was

¹ Title 17-A M.R.S. § 1252 (2018) has since been repealed and replaced, though not in any way relevant to this appeal. *See* P.L. 2019, ch. 113, §§ A-1 to A-2 (effective Sept. 19, 2019) (codified at 17-A M.R.S. § 1604 (2020)).

armed with a knife during the robbery. *See State v. Asaad*, 2020 ME 11, ¶ 8, 224 A.3d 596; *State v. Spooner*, 666 A.2d 863, 865 (Me. 1995).

The entry is:

Judgment affirmed.

Robert Van Horn, Esq., Van Horn Law Office, Ellsworth, for appellant Nguzo Saba Crucial

Marianne Lynch, District Attorney, and Mark A. Rucci, Asst. Dist. Atty., Prosecutorial District V, Bangor, for appellee State of Maine

Penobscot County Unified Criminal Docket docket number CR-2018-4880
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