

STATE OF MAINE

v.

RENY O. CASTILLO

Argued September 7, 2021
Decided September 21, 2021

Panel: STANFILL, C.J., and MEAD, GORMAN, JABAR, HUMPHREY, HORTON, and
CONNORS, JJ.

MEMORANDUM OF DECISION

Reny Castillo appeals from a judgment of conviction of one count of reckless conduct with a dangerous weapon (Class C), 17-A M.R.S. §§ 211(1), 1604(5)(A) (2021), and one count of criminal OUI (Class D), 29-A M.R.S. § 2411(1-A)(C)(1), (5) (2021), entered by the trial court (Cumberland County, *Warren, J.*)¹ upon guilty verdicts after a jury trial. Contrary to Castillo's contentions on appeal, the trial court (*Eggert, J.*) did not err when it denied Castillo's motion to suppress because competent evidence in the suppression record supports the trial court's finding that there was probable cause for the arrest. *See State v. Webster*, 2000 ME 115, ¶ 8, 754 A.2d 976; *State v. Carr*, 1997 ME 221, ¶ 7, 704 A.2d 353. Furthermore, although Castillo claims otherwise, the trial court record demonstrates that potential jurors were asked about racial bias toward a Hispanic defendant exactly as our precedent requires, and

¹ L. Walker, J., presided over the trial, including jury selection, but resigned before sentencing and entry of judgment, which was delayed for almost three years because Castillo failed to appear for sentencing.

no due process issue has been generated. *State v. Fleming*, 2020 ME 120, ¶ 20, 239 A.3d 648; *State v. Bethea*, 2019 ME 169, ¶ 17, 221 A.3d 563.

The entry is:

Judgment affirmed.

Stephen H. Shea, Esq. (orally), Hanly Law, Portland, for appellant Reny O. Castillo

Jonathan Sahrbeck, District Attorney, William J. Barry, Asst. Dist. Atty., Katherine Randall, Stud. Atty., and Kayleigh Cleary, Stud. Atty. (orally), Prosecutorial District No. Two, Portland, for appellee State of Maine

Cumberland County Unified Criminal Docket docket number CR-2016-2966
FOR CLERK REFERENCE ONLY