

STATE OF MAINE

v.

LEE ANN DAIGLE

Argued May 9, 2024
Decided May 16, 2024

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Lee Ann Daigle appeals from the sentence imposed by the trial court (Aroostook County, *Nelson, J.*) following Daigle’s plea of guilty to, and the court’s judgment of conviction for, manslaughter (Class A). *See* 17-A M.R.S.A. § 203(1)(A), (3) (1983).

On appeal, Daigle argues that the court improperly applied the sentencing guidelines in effect in 2023, when the sentencing hearing occurred, instead of the guidelines in effect in 1985, when the crime was committed. *See State v. Penley*, 2023 ME 7, ¶ 1 n.1, 288 A.3d 1183 (“[T]he wrongdoer must be punished pursuant to the law in effect at the time of the offense.” (quotation marks omitted)); *compare* 17-A M.R.S.A. § 1151 (1983 & Supp. 1985-1986) *with* 17-A M.R.S. § 1501 (2023). She also argues that the court deprived her of due process when it gave her an opportunity to respond to an apparent inconsistency in the sentencing record. *See* U.S. Const. amend. XIV, § 1; Me. Const. art. I, § 6-A.

We disagree. The record clearly demonstrates that the court applied the 1985 sentencing guidelines and went out of its way to protect Daigle's due process rights. *See State v. Davenport*, 2016 ME 69, ¶ 8, 138 A.3d 1205 ("On direct appeal, we will vacate a sentence only when it is illegal and the illegality appears on the face of the record." (alterations and quotation marks omitted)).

The entry is:

Judgment affirmed.

Neil J. Prendergast, Esq. (orally), Fort Kent, for appellee Lee Ann Daigle

Aaron M. Frey, Attorney General, and Lara M. Nomani, Asst. Atty. Gen. (orally),
Office of the Attorney General, Augusta, for appellee State of Maine

Aroostook County Unified Criminal Docket docket number CR-2022-20186
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