

STATE OF MAINE

v.

DANIEL SANBORN

Submitted on Briefs October 15, 2001
Decided October 19, 2001

Panel: CLIFFORD, RUDMAN, DANA, SAUFLEY, ALEXANDER,
and CALKINS, JJ.

MEMORANDUM OF DECISION

Daniel Sanborn appeals from a judgment entered in the Superior Court (Cumberland County, *Humphrey, J.*) following a jury verdict finding him guilty of one count of assault on a police officer (Class C), 17-A M.R.S.A. § 752-A (1983), and one count of resisting arrest (Class D), 17-A M.R.S.A. § 751-A (1983 & Supp. 2000). We need not decide whether the police had probable cause to enter Sanborn's apartment to investigate a possible domestic dispute. *See State v. Boilard*, 488 A.2d 1380, 1386-87 (Me. 1985). The evidence, when viewed in a light most favorable to the State, supports Sanborn's convictions. *See State v. Turner*, 2001 ME 44, ¶ 6, 766 A.2d 1025, 1027. Further, contrary to Sanborn's contentions, we find no error in the court's jury instructions. *See State v. Lemieux*, 2001 ME 46, ¶ 2, 767 A.2d 295, 296; *see also State v. Small*, 2000 ME 182, ¶ 5, 763 A.2d 104, 105.

The entry is:

Judgment affirmed.

Attorneys for State:

Stephanie Anderson, District Attorney
Julia Sheridan, Asst. Dist. Atty.
142 Federal Street
Portland, ME 04101

Attorney for defendant:

Justin D. LeBlanc, Esq.
LeBlanc & Young, P.A.
P O Box 7950
Portland, ME 04112-7950