

STATE OF MAINE

v.

JERRY OLIVER

Submitted on Briefs July 22, 2002
Decided August 16, 2002

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

MEMORANDUM OF DECISION

Jerry Oliver appeals from a conviction for Class D assault, 17-A M.R.S.A. § 207(1) (1983), *amended by* P.L. 2001, ch. 383, § 10 (Supp. 2001) (effective January 31, 2003),¹ entered in the District Court (Newport, *Murray, J.*). Contrary to his contention, the court did not commit clear error in finding that he was not justified in using force to defend himself. *See* 17-A M.R.S.A. § 108(1) (1983) (self-defense justification); *see also State v. Ricky G.*, 2000 ME 190, ¶ 4, 760 A.2d 1065, 1067 (stating that we affirm a court's factual findings unless there is no competent evidence to support them).

1. The applicable statute, which remains in effect until January 31, 2003, provides: "A person is guilty of assault if he intentionally, knowingly, or recklessly causes bodily injury or offensive physical contact to another." 17-A M.R.S.A. § 207(1).

The entry is:

Judgment affirmed.

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