

STATE OF MAINE

v.

CARLY FILANOWSKI

Submitted on Briefs May 30, 2002
Decided June 20, 2002

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

MEMORANDUM OF DECISION

Carly Filanowski appeals from a judgment of conviction entered in the District Court (Bangor, *Russell, J.*) following the court's finding that she was guilty of being an accomplice to a theft by unauthorized taking (Class D), 17-A M.R.S.A. §§ 57, 353(1) (1983).¹ Contrary to Filanowski's contentions, the evidence was sufficient to support a conclusion beyond a reasonable doubt that a theft had occurred, even though the goods were never carried beyond the curtilage of the store; *id.* § 353(1); *State v. Turner*, 2001 ME 44, ¶ 6, 766 A.2d 1025, 1027; and, the evidence of her connection to the theft was sufficient to support the finding that she was an accomplice; *see State v. Berry*, 1998 ME 113, ¶ 9, 711 A.2d 142, 145 (evidence that defendant was present and "snooped around" with principal after principal suggested looking for something to steal, and that defendant took one of victim's rings and handed it to the principal was sufficient to establish that the defendant

1. The court imposed a fine of \$200.

aided in the commission of a theft); *State v. Gervais*, 394 A.2d 1183, 1185-86 (Me. 1978) (evidence that the defendant was present at the crime scene and was a friend of the principal, and that, although fully free to disengage himself from the principal, the defendant continued to ride with the principal after the defendant knew that the principal had committed a burglary is sufficient to convict the defendant of aiding and abetting).

The entry is:

Judgment affirmed.

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