

STATE OF MAINE

v.

TIMOTHY FARRAR

Submitted on Briefs July 9, 2003
Decided July 11, 2003

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

MEMORANDUM OF DECISION

Timothy Farrar appeals from a judgment entered in the Superior Court (Piscataquis County, *Jabar, J.*), after a bench trial, convicting him of marijuana cultivation, Class C, in violation of 17-A M.R.S.A. § 1117(2)(B) (Supp. 2002) (current version at § 1117(1)(B)(2) (Supp. 2002)). Contrary to Farrar's contention, the Superior Court neither committed legal error nor an abuse of discretion in admitting evidence of Farrar's prior marijuana cultivation conviction to establish the identity of the person who grew the marijuana in the present case. M.R. Evid. 404(b) advisors' note; *State v. Pierce*, 2001 ME 14, ¶ 18, 770 A.2d 630, 635. Further, the evidence was sufficient to support his conviction. *State v. Crossman*,

2002 ME 28, ¶ 10, 790 A.2d 603, 606, stating that the elements of any crime may be proven by circumstantial evidence.

The entry is:

Judgment affirmed.

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