

STATE OF MAINE

v.

ALBION SHAWN BROWNE

Submitted on Briefs July 9, 2003

Decided July 16, 2003

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

MEMORANDUM OF DECISION

Albion Shawn Browne appeals from a judgment entered in the Superior Court (Washington County, *Jabar, J.*). Contrary to Browne's contentions, the court did not err as a matter of law, *see State v. Nastvogel*, 2002 ME 97, ¶ 6, 798 A.2d 1114, 1117 (explaining that the interpretation of a statute is a matter of law), because 29-A M.R.S.A. § 2414(1)(A) (1996) does not require that an obstruction placed "on a way" be in the direct lane of traffic to meet the definition of a "roadblock," *see* 29-A M.R.S.A. §§ 2414(1)(A) (defining "roadblock"), 101(92)

(defining “way”) (1996). Furthermore, sufficient evidence exists in the record¹ for the jury to have found Browne guilty of passing a roadblock pursuant to 29-A M.R.S.A. § 2414(4) (1996). *See State v. Black*, 2000 ME 211, ¶ 14, 763 A.2d 109, 113 (“[W]e view the evidence in the light most favorable to the State to determine whether the trier of fact rationally could have found beyond a reasonable doubt every element of the offense charged.”).

The entry is:

Judgment affirmed.

Attorneys for State:

Michael E. Povich, District Attorney
Carletta M. Bassano, Deputy D. A.
P O Box 297
Machias, ME 04654

Attorney for defendant:

Jeffrey C. Toothaker, Esq.
Toothaker & Chong
P O Box 1084
Ellsworth, ME 04605

¹ While being transported to the Washington County Jail in Machias, Browne told Sergeant Hennessey of the Washington County Sheriff’s Department that he did not stop when he saw the blue lights because he knew that he would be going to jail and that he had a six-pack of beer to finish and some cigarettes to smoke as he would not have any more when in jail.