

STATE OF MAINE

v.

JERRETT N. ROSSI

Submitted on Briefs July 9, 2003  
Decided July 18, 2003

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

MEMORANDUM OF DECISION

Jerrett Rossi appeals from the judgment of the District Court (West Bath, *Field, J.*) convicting him of attempted theft by unauthorized taking or transfer (Class E) in violation of 17-A M.R.S.A. §§ 152(1), 353(1) (1983), and assault (Class D) in violation of 17-A M.R.S.A. 207 (1983). Rossi argues that there is insufficient evidence to support the conviction for attempted theft and that the District Court erred by denying his motions to hire an expert witness and to prepare a transcript at the State's expense.

The evidence of Rossi's actions was sufficient to support the attempted theft conviction. *See State v. Turner*, 2001 ME 44, ¶ 6, 766 A.2d 1025, 1027. Considering the independent evidence of Rossi's mental condition, the court did not abuse its discretion in denying Rossi's request for funds for expert assistance. *See State v. Anaya*, 456 A.2d 1255, 1261-64 (Me. 1983). The court properly denied Rossi's request for a transcript of the trial to assist in preparing closing argument.

The entry is:

Judgment affirmed.

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