

STATE OF MAINE

v.

MARK L. CROUCH

Submitted on Briefs July 9, 2003

Decided August 1, 2003

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

MEMORANDUM OF DECISION

Mark L. Crouch appeals from the judgment of conviction entered in the Superior Court (Hancock, *Jabar, J.*) following the entry of his conditional plea of guilty. Crouch challenges the denial of his motion to suppress entered in the District Court (Ellsworth, *Staples, J.*). Contrary to Crouch's contentions, the court did not err when it concluded that the investigating officer had reasonable, articulable suspicion to support a brief *Terry* stop, *see State v. Storey*, 1998 ME 161, ¶¶ 8-9, 713 A.2d 331, 333, and the record supports the court's finding that Crouch was not in custody when he made incriminating statements, *see State v.*

Michaud, 1998 ME 251, ¶¶ 3-4, 724 A.2d 1222, 1225-26; *State v. Holloway*, 2000 ME 172, ¶ 14, 760 A.2d 223, 228.

The entry is:

Judgment affirmed.

Attorneys for the State:

Michael E. Povich, DA
Mary N. Kellett, ADA
Hancock County Courthouse
70 State St.
Ellsworth, Maine 04605

Attorney for the defendant:

Terence Harrigan, Esq.
Vafiades, Brountas & Kominsky
23 Water St.
P.O. Box 919
Bangor, Maine 04402