

STATE OF MAINE

v.

CHRISTOPHER CURTIS

Submitted on Briefs June 26, 2003

Decided September 17, 2003

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

MEMORANDUM OF DECISION

Christopher Curtis appeals a judgment of conviction, as well as his corresponding sentence, for arson (Class A) in violation of 17-A M.R.S.A. § 802(1)(B)(1) (1983 & Supp. 2002) following a jury-waived trial in the Superior Court (Piscataquis County, *Hjelm, J.*). Contrary to Curtis's contentions, (1) the evidence is sufficient to support the court's finding that the State had proven the elements of arson beyond a reasonable doubt, *see State v. Willette*, 2002 ME 165, ¶ 7, 809 A.2d 617, 620 ("A conviction can be based solely on circumstantial evidence."); and (2) the sentencing court did not abuse its discretion during the imposition of his sentence pursuant to 17-A M.R.S.A. § 1252-C (Supp. 2002),

when it found that Curtis's failure to take responsibility for his actions, *see State v. Roberts*, 641 A.2d 177, 179 (Me. 1994), was an aggravating factor. Nor does the order of restitution violate 17-A M.R.S.A. § 1326-A (Supp. 2002), because the *details* of the schedule of payments are to be determined by the Division of Probation and Parole. *State v. Berube*, 1997 ME 165, ¶ 20 n.9, 698 A.2d 509, 516 n.9 (observing that details of a restitution order may be left to an appropriate state agency).

The entry is:

Judgment of conviction affirmed. Sentence affirmed.

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