

STATE OF MAINE

v.

TIMOTHY M. SULLIVAN

On Briefs September 25, 2003
Decided October 30, 2003

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

MEMORANDUM OF DECISION

Timothy M. Sullivan appeals from a judgment of conviction of criminal trespass (Class E), 17-A M.R.S.A. § 402(1)(D) & (2) (Supp. 2002), entered after a bench trial in the District Court (Rockland, *Anderson, J.*). Contrary to Sullivan's contention, the evidence, when viewed in the light most favorable to the State, was sufficient for a fact-finder to rationally find each element of the offense beyond a reasonable doubt. *See State v. Melanson*, 2002 ME 145, ¶ 9, 804 A.2d 394, 397. In addition, the police officer's order did not violate Sullivan's First Amendment rights because the police officer's order to move away from the tree was "narrowly tailored to serve a significant government interest" and left "open ample alternative

channels of communication.” *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*,
460 U.S. 37, 45 (1983).

The entry is:

Judgment affirmed.

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