

STATE OF MAINE

v.

CAROL GALLANT

Submitted on Briefs October 23, 2003

Decided November 18, 2003

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

MEMORANDUM OF DECISION

Carol Gallant appeals from judgments entered following jury verdicts in the Superior Court (Penobscot County, *Hunter, J.*) finding her guilty of the Class C crimes of burglary, 17-A M.R.S.A. § 401(1) (1983); theft by unauthorized taking, 17-A M.R.S.A. § 353(1) (1983); and forgery, 17-A M.R.S.A. § 703(1)(A) (1983). Contrary to Gallant's contention, the Superior Court did not err when it declined to grant a mistrial on its own initiative after Gallant withdrew her motion for a mistrial. *See State v. Young*, 2000 ME 144, ¶¶ 5, 7, 755 A.2d 547, 548-49. Furthermore, 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 offenses beyond a reasonable doubt. *State v. Melanson*, 2002 ME 145, ¶ 9, 804 A.2d 394, 397.

The entry is:

Judgments affirmed.

Attorneys for State:

R. Christopher Almy, District Attorney
C. Daniel Wood, Asst. Dist. Atty.
97 Hammond Street
Bangor, ME 04401

Attorney for defendant:

Laurie Ann Miller, Esq.
28 Main Street
Bangor, ME 04401