

STATE OF MAINE

v.

MITCHELL HUARD

Submitted on Briefs October 23, 2003
Decided November 21, 2003

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

MEMORANDUM OF DECISION

Mitchell Huard appeals from judgments of conviction entered in the District Court (Biddeford, *Foster, J.*) after he was found guilty of assault (Class D), 17-A M.R.S.A. § 207(1) (1983), and obstructing the report of a crime (Class D), 17-A M.R.S.A. § 758(1)(A) (Supp. 2002). Contrary to Huard's contentions, there is sufficient evidence to support the District Court's findings, beyond a reasonable doubt, that Huard committed an assault and obstructed the report of a crime. *See State v. Melanson*, 2002 ME 145, ¶ 9, 804 A.2d 394, 397. Nor did the court commit obvious error when it failed to apply the defenses of competing harms pursuant to 17-A M.R.S.A. § 103 (1983), *State v. Lemieux*, 2001 ME 46, ¶ 3, 767

A.2d 295, 296-97; and self-defense pursuant to 17-A M.R.S.A. § 108(1) (1983), *State v. Michaud*, 1998 ME 251, ¶ 16, 724 A.2d 1222, 1229-30. Moreover, it was not obvious error for the court not to conclude that Huard's conduct was involuntary pursuant to 17-A M.R.S.A. § 103-B (Supp. 2002). *State v. Therrien*, 1997 ME 100, ¶ 12, 695 A.2d 119, 123. Lastly, the record reflects that Huard knowingly and intelligently waived his right to counsel. *State v. Morrison*, 1998 ME 220, ¶ 4, 723 A.2d 869, 870.

The entry is:

Judgments affirmed.

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