

STATE OF MAINE

v.

DAVID P. McCARTHY

Submitted on Briefs October 23, 2003

Decided November 25, 2003

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

MEMORANDUM OF DECISION

David P. McCarthy appeals from a judgment entered in the District Court (Portland, *Powers, J.*) finding that he committed the civil offense of driving at an imprudent speed, 29-A M.R.S.A. § 2074 (1996 & Supp. 2002). Contrary to McCarthy's first contention, a violation summons and complaint pursuant to M.R. Civ. P. 80F and 29-A M.R.S.A. § 2074 is not subject to ME. CONST. art. I, § 6, which applies to "all criminal prosecutions." *State v. Anton*, 463 A.2d 703, 708 (Me. 1983); *see also State v. Mayberry*, 2001 ME 176, ¶ 9, 787 A.2d 135, 137. Contrary to McCarthy's second contention, the violation summons and complaint

complied with the requirements of M.R. Civ. P. 80F(c) and 29-A M.R.S.A. § 2601(3) (1996) by including a sufficient brief description of the infraction.

The entry is:

Judgment affirmed.

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