

STATE OF MAINE

v.

MICHAEL BARKER

Submitted on Briefs December 12, 2003  
Decided December 19, 2003

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

MEMORANDUM OF DECISION

Michael Barker appeals from a judgment of conviction entered in the Superior Court (Cumberland County, *Cole, J.*) after a bench trial in which he was found guilty of domestic assault (Class C), 17-A M.R.S.A. § 207 (1983 & Supp. 2003), and not guilty of criminal threatening (Class C), 17-A M.R.S.A. § 209 (1983).<sup>1</sup> Barker contends that the judgment should be vacated because the verdicts are inconsistent and incapable of logical reconciliation.

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<sup>1</sup> The charges were enhanced to Class C upon the allegation that Barker had been convicted of three prior offenses in the last ten years. 17-A M.R.S.A. § 1252(4-A) (Supp. 2002), *amended by* P.L. 2001, ch. 383, § 150 (eff. Jan. 31, 2003).

Verdicts on separate counts need not be consistent. *State v. Maizeroi*, 2000  
ME 187, ¶¶ 19-20, 760 A.2d 638, 644.

The entry is:

Judgment affirmed.

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