

STATE OF MAINE

v.

CAMERON G. BROWN

Submitted on Briefs December 12, 2003
Decided December 23, 2003

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

MEMORANDUM OF DECISION

Cameron G. Brown appeals from the judgment of conviction for possession of heroin, a schedule W drug (Class C), 17-A M.R.S.A. § 1107 (Supp. 2002) (current version at 17-A M.R.S.A. § 1107-A (Supp. 2003)), entered in the Superior Court (Lincoln County, *Bradford, A.R.J.*) following a jury trial. Contrary to Brown's contentions, the court did not err in denying suppression of the heroin because Brown made no initial showing that he had any reasonable expectation of privacy in the plastic bag, which contained the heroin. *See State v. Maloney*, 1998 ME 56, ¶ 6, 708 A.2d 277, 279; *United States v. Lewis*, 40 F.3d 1325, 1333 (1st

Cir. 1994). Because the police had probable cause to believe that Brown had possessed the heroin, the police had probable cause to arrest him and search his vehicle. *See Richards v. Town of Eliot*, 2001 ME 132, ¶ 13, 780 A.2d 281, 287-88 (explaining that probable cause exists when reasonably trustworthy facts warrant an ordinarily prudent and cautious police officer to believe the subject committed a crime). Therefore, the court did not err in denying Brown's request to suppress the evidence found during the search.

The entry is:

Judgment affirmed.

Attorneys for State:
G. Steven Rowe, Attorney General
James M. Cameron, Asst. Attorney General
Lara Nomai, Asst. Attorney General
6 State House Station
Augusta, ME 04333-0006

Attorney for defendant:

William M. Avantaggio, Esq.
P O Box 1449
Damariscotta, ME 04543