

STATE OF MAINE

v.

EDGAR C. PROUTY

Submitted on Briefs March 14, 2003

Decided March 24, 2003

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

MEMORANDUM OF DECISION

Edgar Prouty appeals from a judgment of conviction of OUI, 29-A M.R.S.A. § 2411 (1996), entered after trial in District Court (Bangor, *Gunther, J.*). Contrary to Prouty's contentions, the court's determination that his testimony was not credible was within its sole province as the trier of fact, *see State v. Clarke*, 1999 ME 141, ¶ 15, 738 A.2d 1233, 1236, and the evidence was sufficient for the court to find beyond a reasonable doubt that he drove his truck under the influence of alcohol, *see State v. Melanson*, 2002 ME 145, ¶¶ 9-10, 804 A.2d 394, 397-98.

The entry is:

Judgment affirmed.

Attorneys for State:

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

Attorney for defendant:

Stephen E. F. Langsdorf
Preti Flaherty Beliveau Pachios & Haley LLC
P O Box 1058
Augusta, ME 04332-1058