

STATE OF MAINE

v.

RICHARD BINGAMAN

Argued April 8, 2003
Decided April 18, 2003

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

MEMORANDUM OF DECISION

Richard Bingaman appeals from a judgment of conviction of terrorizing (Class D), 17-A M.R.S.A. § 210(1)(A) (Supp. 2002), entered following a bench trial in the District Court (Bangor, *Gunther, J.*). He contends that the terrorizing statute as applied to his statement, directed at a public official, violated his constitutionally-protected right to speech. The court found that he threatened a crime of violence dangerous to human life and that the natural and probable consequence of that threat was to place the person threatened in reasonable fear that the crime would be committed. Such speech is afforded no constitutional protection. *See State v. Porter*, 384 A.2d 429, 432 (Me. 1978).

The entry is:

Judgment affirmed.

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