

STATE OF MAINE

v.

MIKOL J. ALLISON

Submitted on Briefs January 2, 2004
Decided January 22, 2004

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

MEMORANDUM OF DECISION

Mikol J. Allison appeals from a judgment of conviction in the Superior Court (Penobscot County, *Mead, J.*), contending that there was insufficient evidence to convict him of robbery,¹ burglary of a motor vehicle,² and assault.³ Allison was also convicted of escape⁴ and refusing to submit to arrest or detention,⁵ which he does not appeal.

¹ 17-A M.R.S.A. § 651(1)(C) (1983), *amended by* P.L. 2001, ch. 383, § 73.

² 17-A M.R.S.A. § 405(1) (Supp. 2003).

³ 17-A M.R.S.A. § 207(1) (1983), *amended by* P.L. 2001, ch. 383, § 10; 17-A M.R.S.A. § 1252(4-A) (Supp. 2003) (enhancing the sentencing class due to prior crimes).

⁴ 17-A M.R.S.A. § 755(1) (1983), *amended by* P.L. 2001, ch. 383, § 90.

We view the evidence in the light most favorable to the State to determine whether any trier of fact rationally could find beyond a reasonable doubt every element of the offense charged. *State v. McCurdy*, 2002 ME 66, ¶ 10, 795 A.2d 84, 88. Because witness credibility and the weight of evidence are exclusively within the province of the fact-finder, we find no error and affirm the court's judgment. *See id.*

The entry is:

Judgment affirmed.

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⁵ 17-A M.R.S.A. § 751-A(1)(A) (Supp. 2003).