

STATE OF MAINE

v.

BENJAMIN F. FAIRBROTHER

Submitted on Briefs November 3, 2004

Decided November 22, 2004

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

MEMORANDUM OF DECISION

Benjamin F. Fairbrother appeals from a judgment entered upon a jury verdict in the Superior Court (Penobscot County, *Mead, J.*), which found him guilty of operating a motor vehicle after revocation (Class C), 29-A M.R.S.A. § 2557(1) (1996 & Supp. 2003). Contrary to Fairbrother's contentions, the Superior Court acted well within its discretion when it denied his motion to dismiss the indictment, *State v. Kargar*, 679 A.2d 81, 83 (Me. 1996), and the jury instructions did not constitute obvious error, *State v. Child*, 1999 ME 198, ¶ 7, 743 A.2d 230, 232.

The entry is:

Judgment affirmed.

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