

STATE OF MAINE

v.

JAMES MORAN

Submitted on Briefs November 3, 2004  
Decided December 2, 2004

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

MEMORANDUM OF DECISION

James Moran appeals from a judgment of conviction on single counts of burglary;<sup>1</sup> failure to stop for an officer;<sup>2</sup> refusing to submit to arrest;<sup>3</sup> and violation of a protective order,<sup>4</sup> entered in the Superior Court (York County, *Brennan, J.*) after a jury trial. Contrary to his contentions, Moran's multiple violations of a protective order can satisfy both elements of the crime of burglary, *see* 17-A

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<sup>1</sup> 17-A M.R.S.A. § 401(1) (1983), (Class C).

<sup>2</sup> 29-A M.R.S.A. § 2414(2) (1996), (Class E).

<sup>3</sup> 17-A M.R.S.A. § 751-A(1)(A) (Supp. 2003), (Class D).

<sup>4</sup> 19-A M.R.S.A. § 4011(1) (Supp. 2003), (Class D).

M.R.S.A. § 401(1) (1983); his violation of the protective order was a Class D criminal offense, *see* 19-A M.R.S.A. § 4011(1) (Supp. 2003); and the jury instructions were proper, *see State v. Barnard*, 2003 ME 79, ¶ 13, 828 A.2d 216, 220.

The entry is:

Judgment affirmed.

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