

STATE OF MAINE

v.

ALBERT J. HARNOIS III

Submitted on Briefs April 27, 2004
Decided May 13, 2004

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

MEMORANDUM OF DECISION

Albert J. Harnois III appeals from judgments of conviction of attempted aggravated assault (Class C), 17-A M.R.S.A. §§ 152(1)(C), 208(1)(B) (1983 & Supp. 2003); reckless conduct with a dangerous weapon (Class C), 17-A M.R.S.A. §§ 211(1), 1252(4) (1983); and assault (Class D), 17-A M.R.S.A. § 207(1)(A) (Supp. 2003), after a jury trial in the Superior Court (Washington County, *Jabar, J.*) resulting in guilty verdicts. Contrary to Harnois's contentions, the evidence presented at trial was sufficient for a jury to rationally find beyond a reasonable doubt every element of the offenses for which he was convicted, *see State v.*

Melanson, 2002 ME 145, ¶ 9, 804 A.2d 394, 397; thrusting an arrow at a police officer's chest can generate a substantial risk of serious bodily injury, *see State v. Napier*, 1998 ME 8, ¶ 9, 704 A.2d 869, 871-72, and can constitute offensive physical contact, *see generally State v. Bushey*, 425 A.2d 1343, 1344-47 (Me. 1981), even though the officer had on a safety vest at the time of the incident.

The entry is:

Judgment affirmed.

Attorneys for State:

Michael Povich, District Attorney
Carletta Bassano, Deputy Dist. Atty.
P O Box 297
Machias, ME 04654

Attorney for defendant:

Norman P. Toffolon, Esq.
P O Box 58
Machias, ME 04654