

STATE OF MAINE

v.

WILLIAM MORRISON

Submitted on Briefs May 27, 2004
Decided June 22, 2004

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

MEMORANDUM OF DECISION

William Morrison appeals from an order entered in the Superior Court (Waldo County, *Marden, J.*) denying his motion to dismiss the indictment brought against him for gross sexual assault (Class B), 17-A M.R.S.A. § 253(2)(A), (H) (Supp. 2000), and furnishing alcohol to a minor (Class D), 28-A M.R.S.A. § 2081(1)(A) (Supp. 2000). Contrary to Morrison's contention, the court did not err by declaring a mistrial based upon manifest necessity when the jury deliberated for six and one-half hours, the jury sent two communications to the court

indicating that it was deadlocked, the court individually polled the jurors, and Morrison participated in the decision to grant a mistrial. *See State v. Torrie*, 2002 ME 59, ¶¶ 12-13, 794 A.2d 82, 87; *cf. State v. Landry*, 600 A.2d 101, 102-03 (Me. 1991); *State v. Linscott*, 416 A.2d 255, 260-61 (Me. 1980).

The entry is:

Judgment affirmed.

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