

STATE OF MAINE

v.

JOHN CORVIN

and

CRYSTAL TRIPP-CORVIN

Submitted on Briefs July 14, 2005

Decided July 22, 2005

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

MEMORANDUM OF DECISION

John Corvin and Crystal Tripp-Corvin appeal from a judgment of conviction entered in the District Court (Bridgton, *Eggert, J.*) following a jury-waived trial for theft by unauthorized taking or transfer (Class D), 17-A M.R.S.A. § 353(1) (1983).¹ Contrary to Corvin's and Tripp-Corvin's contentions, the evidence, when viewed in the light most favorable to the State, was sufficient for a fact-finder to

¹ Title 17 M.R.S.A. § 353 has since been *repealed and replaced* by P.L. 2001, ch. 383, § 33 (effective Jan. 31, 2003) and *amended* by P.L. 2001, ch. 667, § D-3 (effective Jan. 31, 2003) (codified at 17-A M.R.S.A. § 353 (Supp. 2004)).

rationality find each element of the offense beyond a reasonable doubt, *see State v. Melanson*, 2002 ME 145, ¶ 9, 804 A.2d 394, 397, and the trial court did not err or abuse its discretion in its admission of evidence under M.R. Evid. 401 and 403, respectively, *see State v. Howe*, 2001 ME 181, ¶ 8, 788 A.2d 161, 163.

The entry is:

Judgment affirmed.

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