

STATE OF MAINE

v.

VERNAL MERCHANT

Submitted on Briefs September 16, 2005  
Decided September 21, 2005

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

MEMORANDUM OF DECISION

Vernal Merchant appeals from a verdict entered in the District Court (Machias, *Romei, J.*) finding him guilty of assault (Class D) in violation of 17-A M.R.S.A. § 207(1)(A) (Supp. 2004). Contrary to Merchant's contention, there is sufficient evidence in the record for the court to rationally have found beyond a reasonable doubt every element of the offense of assault. 17-A M.R.S.A. § 207(1)(A); *State v. McCurdy*, 2002 ME 66, ¶ 10, 795 A.2d 84, 88.

The entry is:

Judgment affirmed.

---

**Attorneys for State:**

Michael E. Povich, District Attorney  
William Entwisle, Asst. Dist. Atty.  
P.O. Box 297  
Machias, ME 04654

**Attorney for defendant:**

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