

STATE OF MAINE

v.

SCOTT KNOWLTON

Submitted on Briefs November 29, 2005  
Decided December 13, 2005

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

MEMORANDUM OF DECISION

Scott Knowlton appeals from a judgment of the Superior Court (Piscataquis County, *Mills, J.*) convicting him, after a jury-waived trial, of cultivating marijuana (Class C) in violation of 17-A M.R.S.A. § 1117(1) (Supp. 2004). His sole contention on appeal is that the evidence at trial was insufficient to find him guilty of cultivating more than 100 marijuana plants, the threshold for the Class C offense. *Id.* § 1117(1)(B)(2). The evidence, most of it circumstantial, is sufficient to support the court's finding, beyond a reasonable doubt, that Knowlton cultivated 100 or more marijuana plants. *See State v. Stinson*, 2000 ME 87, ¶ 8, 751 A.2d

1011, 1014 (holding that a conviction may be based on circumstantial evidence, even if the circumstantial evidence is contradicted by direct evidence).

The entry is:

Judgment affirmed.

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