

STATE OF MAINE

v.

DYLAN SCHAFFER

Submitted on Briefs March 24, 2005

Decided April 14, 2005

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

MEMORANDUM OF DECISION

Dylan Schaffer appeals from a judgment of conviction entered in the Superior Court (Lincoln County, *Bradford, A.R.J.*) after a jury found him guilty of aggravated trafficking in scheduled drugs, 17-A M.R.S.A. §§ 1103(1-A)(H), 1105-A(1)(A)(6) (Supp. 2004) (Class C). Contrary to Schaffer's contentions, the court did not commit obvious error or an unsustainable exercise of discretion in admitting testimony concerning his multiple acts of trafficking because he was not "exposed to unfair surprise at trial or to the risk of double jeopardy," *State v. Vachon*, 482 A.2d 864, 867 (Me. 1984); *see also* 17-A M.R.S.A. § 14 (1983); *State*

v. Thomes, 1997 ME 146, ¶ 7, 697 A.2d 1262, 1264; and because he was not unfairly prejudiced by the court's admission of the testimony or the challenged physical evidence, *see* M.R. Evid. 403; *State v. Thongsavanh*, 2004 ME 126, ¶¶ 6-7, 861 A.2d 39, 41-42.

The entry is:

Judgment affirmed.

Attorneys for State:

Geoffrey A. Rushlau, District Attorney
Donald S. Lawson-Stopps, Asst. Dist. Atty.
P O Box 249
Wiscasset, ME 04578

Attorney for defendant:

David Paris, Esq.
72 Front Street
Bath, ME 04530-2657