

STATE OF MAINE

v.

KEN MARSH

Submitted on Briefs January 20, 2006
Decided January 25, 2006

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

MEMORANDUM OF DECISION

Ken Marsh appeals from a judgment of conviction of theft (Class E), 17-A M.R.S.A. § 353(1)(A) (Supp. 2005), entered after a bench trial in the District Court (Calais, *Romei, J.*). Contrary to Marsh's contention, the evidence, viewed in the light most favorable to the State, was sufficient for the court to have found beyond a reasonable doubt that Marsh obtained or exercised unauthorized control over an item belonging to Wal-Mart and that he intended to deprive Wal-Mart of the item. *See State v. Willette*, 2002 ME 165, ¶ 7, 809 A.2d 617, 620; 17-A M.R.S.A. § 361-A(2) (Supp. 2005).

The entry is:

Judgment affirmed.

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