

STATE OF MAINE

v.

HERBERT M. ADAMS III

Submitted on Briefs July 18, 2006

Decided October 27, 2006

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

MEMORANDUM OF DECISION

Herbert M. Adams III appeals from a judgment of conviction of assault (Class D), 17-A M.R.S. § 207 (2005), and obstruction of government administration (Class D), 17-A M.R.S. § 751 (2005), entered in the District Court (Presque Isle, *O'Mara, J.*) following a jury-waived trial. Contrary to Adams's contention, the evidence did not raise the defense of duress pursuant to 17-A M.R.S. § 103-A (2005). After the duress defense was raised by counsel in closing argument, in the absence of a request for additional findings of fact, we must assume that the court's finding of guilty "beyond a reasonable doubt" incorporated

either a finding that the evidence did not raise the defense or that the defense was disproved beyond a reasonable doubt. *State v. Glidden*, 487 A.2d 642, 644 (Me. 1985).

The entry is:

Judgment affirmed.

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