

STATE OF MAINE

v.

ALAN CONARY

Submitted on Briefs November 16, 2006

Decided December 7, 2006

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

MEMORANDUM OF DECISION

Alan Conary appeals from a judgment of conviction entered after a jury trial in the Superior Court (Hancock County, *Mead, J.*) on charges of operating under the influence, Class D, and operating without a license, Class E. *See* 29-A M.R.S.A. § 2411 (1996 & Supp. 2001),¹ and 29-A M.R.S.A. § 1251(1), (2) (1996 & Supp. 2001).² Contrary to Conary's contention, the motion court (*Mills, J.*) did

¹ Title 29-A M.R.S.A. § 2411 (1996 & Supp. 2001) has since been amended in part and repealed in part. *See* P.L. 2003, ch. 452, §§ Q-77 to Q-83 (effective July 1, 2004); P.L. 2003, ch. 633, § 8; P.L. 2003, ch. 673, §§ TT-3, TT-4 (effective July 30, 2004); and P.L. 2005, ch. 397, §§ B-7, B-8; P.L. 2005, ch. 438, § 1 (effective June 17, 2005) (codified at 29-A M.R.S. § 2411 (2005)).

² Title 29-A M.R.S.A. § 1251(1) (1996) has since been amended. *See* P.L. 2003, ch. 452, § Q-17 (effective July 1, 2004) (codified at 29-A M.R.S. § 1251 (2005)). Title 29-A M.R.S.A. § 1251(2) (Supp. 2001) has since been repealed. *See* P.L. 2003, ch. 452, § Q-18 (effective July 1, 2004).

not err in denying a motion to suppress the results of the police officer's stop, notwithstanding a technical violation of the fresh pursuit statute. *See State v. Rideout*, 2000 ME 194, ¶ 8, 761 A.2d 288, 290-91. And, the trial court (*Mead, J.*) properly allowed into evidence a voluntary statement made in the absence of an interrogation and *Miranda* warnings. *See State v. Lear*, 1998 ME 273, ¶ 9, 722 A.2d 1266, 1268.

The entry is:

Judgment affirmed.

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