

ROSALEE WITHAM o/b/o her daughter

v.

ROBERT SIMKO

Submitted on Briefs May 12, 2006

Decided May 25, 2006

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

MEMORANDUM OF DECISION

Robert Simko appeals from a protection from harassment order entered in the District Court (Bangor, *Stavros, J.*). Contrary to Simko's contentions, there was sufficient evidence for the court to find that he committed harassment by committing the crime of criminal threatening, *see* 5 M.R.S. § 4651(2)(C) (2005); 17-A M.R.S. § 209 (2005); *Patane v. Brown*, 2002 ME 47, ¶¶ 11-13, 792 A.2d 1086, 1089-90, and his threatening words were not constitutionally protected, *see State v. Porter*, 384 A.2d 429, 431 (Me. 1978).

The entry is:

Judgment affirmed.

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