

STATE OF MAINE

v.

JASON W. NASON

Submitted on Briefs July 19, 2007
Decided July 24, 2007

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

MEMORANDUM OF DECISION

Jason W. Nason appeals from a judgment of conviction of driving to endanger (Class E), 29-A M.R.S. § 2413 (2005),¹ entered in the District Court (Bangor, *Gunther, J.*) following a nonjury trial. Contrary to Nason's contentions, the court acted within its discretion in denying his attorney's motion to withdraw and proceeding with trial. *See State v. Brewer*, 1997 ME 177, ¶ 11, 699 A.2d 1139, 1142-43; *State v. Goodine*, 587 A.2d 228, 229 (Me. 1991); *cf. Cutillo v. Gerstel*, 477 A.2d 750, 752 (Me. 1984). Nason's contention that he has received

¹ Section 2413 was amended following the commission of the crime. *See* P.L. 2005, ch. 683, § B-23 (effective June 2, 2006) (codified at 29-A M.R.S. § 2413(3) (2006)).

ineffective assistance of counsel may be raised only through a petition for post-conviction review and is not properly before us in a direct appeal. *See State v. Donovan*, 1997 ME 181, ¶ 12, 698 A.2d 1045, 1049.

The entry is:

Judgment affirmed.

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