

STATE OF MAINE

v.

DANIEL E. MUTTY

Submitted on Briefs November 1, 2007

Decided November 13, 2007

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

MEMORANDUM OF DECISION

Daniel E. Mutty appeals from a judgment of conviction of aggravated criminal mischief (Class C), 17-A M.R.S. § 805(1)(C) (2006), two counts of aggravated criminal mischief (Class C), 17-A M.R.S. § 805(1)(A) (2006), two counts of reckless conduct (Class B), 17-A M.R.S. § 211(1), 1252(4), 1252(4)(A) (2006), criminal threatening (Class B), 17-A M.R.S. § 209 (1), 1252(4), 1252(4)(A) (2006), failure to stop for an officer (Class E), 29-A M.R.S. § 2414(2) (2006), and driving to endanger (Class E), 29-A M.R.S. § 2413(1) (2006), entered after a jury trial in the Superior Court (Washington County, *Horton, J.*). Contrary to Mutty's contention, the evidence, when viewed in the light most favorable to the

State, was sufficient for a fact-finder to rationally find each element of the offense beyond a reasonable doubt. *See State v. Pierce*, 2006 ME 75, ¶ 16, 899 A.2d 801, 804. We also decline to consider Mutty's ineffective assistance of counsel on direct appeal; such claims may be pursued through post-conviction review only. *See State v. Nichols*, 1997 ME 178, ¶ 4, 698 A.2d 521, 522.

The entry is:

Judgment affirmed.

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