

STATE OF MAINE

v.

LEIGH

Submitted on Briefs December 20, 2006
Decided January 4, 2007

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

MEMORANDUM OF DECISION

Leigh appeals from a conviction of violation of condition of release (Class E), 15 M.R.S. § 1092 (2005), and two counts of criminal trespass (Class E), 17-A M.R.S. § 402(1)(D) (2005), entered in the Superior Court (Washington County, *Hunter, J.*) after a jury trial. Contrary to Leigh's contentions, the Superior Court did not err (1) by prohibiting Leigh from presenting a defense of competing harms pursuant to 17-A M.R.S. § 103 (2005), because acts of civil disobedience are specifically excluded from the competing harms defense, *State v. Dansinger*, 521 A.2d 685, 687-88 (Me. 1987); or (2) in failing to instruct the jury on the competing harms defense, *see State v. Lemieux*, 2001 ME 46, ¶¶ 2-3, 767 A.2d 295, 296-97.

Further, Leigh's contention that 17-A M.R.S. § 103 violates the Due Process Clause of the Maine Constitution is without merit.

The entry is:

Judgment affirmed.

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