

STATE OF MAINE

v.

ROOSEVELT MARCEL WILSON II

Submitted on Briefs November 27, 2007
Decided December 6, 2007

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

MEMORANDUM OF DECISION

Roosevelt Marcel Wilson II appeals from a judgment of the Superior Court (Androscoggin, *Gorman, J.*) denying his motion for a new trial from his conviction of aggravated assault (Class B), 17-A M.R.S. § 208(1)(A) (2006). Contrary to Wilson's contention, the court did not abuse its discretion in denying his motion. *State v. Gilman*, 637 A.2d 1180, 1182 (Me. 1994); *see State v. Merchant*, 2003 ME 44, ¶ 19, 819 A.2d 1005, 1009 (“The trial court’s determination of whether a juror can remain impartial is entitled to substantial deference”). There is no

competent evidence to show that any juror sitting in Wilson's trial was under the influence of alcohol at any time during this case. *See* M.R. Evid. 606(b).

The entry is:

Judgment affirmed.

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