

STATE OF MAINE

v.

JOSEPH MAYE

Submitted on Briefs December 11, 2007
Decided December 20, 2007

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

MEMORANDUM OF DECISION

Joseph Maye appeals from a judgment of conviction for unlawful possession of scheduled drugs (cocaine base) (Class B), 17-A M.R.S. § 1107-A(1)(A) (2006), entered after a jury trial in the Superior Court (Androscoggin County, *Delahanty, J.*). Contrary to Maye's contentions, the evidence, when viewed in the light most favorable to the State, was sufficient for the jury to rationally find constructive possession of the contraband and each element of the offense proven beyond a reasonable doubt. *See State v. Pierce*, 2006 ME 75, ¶ 16, 899 A.2d 801, 804; *State v. Ketchum*, 1997 ME 93, ¶ 13, 694 A.2d 916, 918-19. Consequently, it was not error for the court to deny either his motion to acquit or his motion for a new trial.

See State v. DePhilippo, 628 A.2d 1057, 1059 (Me. 1993); *see also State v. Hall*, 383 A.2d 663, 666 (Me. 1978).

The entry is:

Judgment affirmed.

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