

STATE OF MAINE

v.

DAVID HARADEN

Argued January 16, 2007
Decided February 8, 2007

Panel: CLIFFORD, DANA, ALEXANDER, CALKINS, LEVY, and SILVER, JJ.

MEMORANDUM OF DECISION

David Haraden appeals from a judgment of conviction for murder (Class A), 17-A M.R.S. § 201(1)(A), (B) (2006), after a jury trial in the Superior Court (Cumberland County, *Crowley, J.*). Contrary to Haraden's contention, there was sufficient evidence in the record to support his conviction beyond a reasonable doubt. *See State v. Ardolino*, 1997 ME 141, ¶¶ 20-21, 697 A.2d 73, 79-80. Furthermore, the court did not err in admitting Haraden's statements made during his police interrogation because the court could have found beyond a reasonable doubt that Haraden's statements were voluntary, *see State v. Coombs*, 1998 ME 1, ¶ 10, 704 A.2d 387, 390, and his references to an attorney were not sufficiently

clear as to invoke his right to counsel, *see Davis v. United States*, 512 U.S. 452, 459 (1994); *State v. King*, 1998 ME 60, ¶ 9, 708 A.2d 1014, 1016-17. Additionally, the court did not commit clear error, abuse its discretion, or violate Haraden's due process rights by admitting evidence of a prior assault committed by Haraden against the victim. *Estelle v. McGuire*, 502 U.S. 62, 69-70 (1991); *State v. DeLong*, 505 A.2d 803, 805 (Me. 1986). Finally, there was no error in the court's imposition of a fifty-two-year sentence. *See State v. Goodale*, 571 A.2d 228, 229 (Me. 1990).

The entry is:

Judgment affirmed.

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