

STATE OF MAINE

v.

KATHLEEN L. ROGERS

Submitted on Briefs February 27, 2007

Decided April 10, 2007

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

MEMORANDUM OF DECISION

Kathleen L. Rogers appeals from a judgment entered in the District Court (Ellsworth, *Griffiths, J.*) adjudicating her of violating 29-A M.R.S. § 2073(3) (2006), the civil violation of speeding, in this case, fifteen to nineteen miles-per-hour over the maximum speed limit.

Because Rogers failed to provide us with a transcript of the proceedings, *see* M.R. App. P. 5(b)(2), or a statement of the evidence pursuant to M.R. App. P. 5(d), “we must assume that the record would support the trial court’s findings and evidentiary rulings,” *Putnam v. Albee*, 1999 ME 44, ¶ 10, 726 A.2d 217, 220.

Contrary to Rogers’s contention, based on the limited record before us, the court did not exceed its discretion, nor was it inequitable for the court to impose a

fine and to suspend Rogers's driver's license for thirty days pursuant to 29-A M.R.S. § 2418 (2006), which, "[i]n addition to or instead of any other penalty," grants discretion to the court to suspend a driver's license "for a period not exceeding 60 days."

Moreover, in this civil case, Rogers has failed to demonstrate that she was denied a constitutional right to counsel pursuant to the Sixth Amendment of the United States Constitution. *See State v. Anton*, 463 A.2d 703, 707 (Me. 1983) (concluding that "the sanctions provided by the Maine [traffic infraction] statute do not manifest such punitive intent in either purpose or effect as to render the proceeding criminal" for constitutional purposes).

The entry is:

Judgment affirmed.

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