

STATE OF MAINE

v.

CLIFFORD E. WILSON

Submitted on Briefs November 4, 2008

Decided November 25, 2008

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

MEMORANDUM OF DECISION

Clifford E. Wilson appeals from a judgment of conviction entered in the Superior Court (Lincoln County, *Horton, J.*) after a jury verdict finding him guilty of unlawful possession of a scheduled drug (Class D), 17-A M.R.S. § 1107-A(1)(C) (2007), and violating conditions of release (Class E), 15 M.R.S. § 1092(1)(A) (2007). Contrary to Wilson’s contention, the evidence, viewed in the light most favorable to the State, was sufficient to support a fact-finder’s rational conclusion that every element of the offenses had been proved beyond a reasonable doubt. *State v. Nugent*, 2007 ME 44, ¶ 10, 917 A.2d 127, 130; *State v. Caouette*, 462 A.2d 1171, 1176 (Me. 1983) (stating that this Court defers “to the jury’s decisions as to the credibility and weight of the various items of testimony and other evidence”). Furthermore, the evidence, when viewed in the light most favorable to the State, was also sufficient for a fact-finder to find beyond a reasonable doubt that the State disproved Wilson’s defense, that as a caretaker he was lawfully in possession of a scheduled drug. *See State v. Nadeau*, 2007 ME 57, ¶ 10, 920 A.2d 452, 455; 17-A M.R.S. § 1107-A(2)(A) (2007); 22 M.R.S. § 2383-B(2)(B) (2007) (stating that “agents of persons lawfully entitled to possession who have temporary, incidental possession while acting within the scope of their employment or agency” are “authorized to possess . . . and have control of scheduled or prescription drugs”).

The entry is:

Judgment affirmed.

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