

STATE OF MAINE

v.

JEFFREY R. NORWOOD

Submitted on Briefs January 24, 2008  
Decided February 7, 2008

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

MEMORANDUM OF DECISION

Jeffrey R. Norwood appeals from a judgment of conviction of operating a motor vehicle while under the influence of intoxicants (Class D) in violation of 29-A M.R.S. § 2411(1-A)(B)(1) (2007) entered in the District Court (Ellsworth, *Staples, J.*) following Norwood's conditional guilty plea after the denial of his motion to suppress evidence. (*R. Murray, J.*) Given the specific facts in this case, the court did not clearly err in finding that the arresting officer had an articulable suspicion that criminal conduct would imminently occur. *See State v. Tozier*, 2006 ME 105, ¶ 6, 905 A.2d 836, 838; *State v. Sylvain*, 2003 ME 5, ¶¶ 10-11, 814 A.2d 984, 987. Nor did the court err in finding that this suspicion of criminal conduct was objectively reasonable

given the totality of the circumstances. *See United States v. Dawdy*, 46 F.3d 1427, 1428-30 (8th Cir. 1995). Finally, the present case does not require us to review our probable cause precedents in light of *Illinois v. Wardlow*, 528 U.S. 119 (2000).

The entry is:

Judgment affirmed.

---

**Attorney for Jeffrey Norwood:**

Theodore G. Fletcher, Esq.  
PO Box 8  
Southwest Harbor, Maine 04679

**Attorney for the State of Maine**

Michael E. Povich, Dist. Atty.  
Mary N. Kellett, Asst. Dist. Atty.  
70 State Street  
PO Box 722  
Ellsworth, Maine 04605