

STATE OF MAINE

v.

DONALD GIROUX

Submitted on Briefs February 28, 2008
Decided March 4, 2008

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

MEMORANDUM OF DECISION

Donald Giroux appeals from a judgment of conviction of two counts of aggravated assault (Class B), 17-A M.R.S. § 208(1)(B) (2007), two counts of assault on an officer (Class C), 17-A M.R.S. § 752-A(1)(A) (2007), and one count of failure to stop for an officer (Class E), 29-A M.R.S. § 2414(2) (2007), entered in the Superior Court (Cumberland County, *Delahanty, J.*) upon a jury verdict finding him guilty. Contrary to Giroux's contentions, the court's instructions concerning self-defense, involuntary conduct, and the State's burden of proof correctly and fairly informed the jury in all necessary respects of the governing law. 17-A M.R.S. §§ 103-B, 107, 108 (2007); *see State v. Martin*, 2007 ME 23, ¶ 5, 916

A.2d 961, 964. Furthermore, the court did not err in declining to instruct the jury on intoxication or abnormal condition of the mind, 17-A M.R.S. §§ 37, 38 (2007), because those issues were not generated by the evidence. Finally, viewed in the light most favorable to the State, the evidence was sufficient for the jury to find that the State had disproved the statutory defenses of self-defense and competing harms beyond a reasonable doubt. 17-A M.R.S. §§ 103, 108 (2007).

The entry is:

Judgment affirmed.

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