

STATE OF MAINE

v.

ELIZABETH HALE

and

IN RE FOUR HORSES OWNED BY  
ELIZABETH HALE

Submitted on Briefs April 2, 2008  
Decided April 15, 2008

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

#### MEMORANDUM OF DECISION

Elizabeth Hale appeals from a judgment of civil conviction of four counts of cruelty to animals, 7 M.R.S. § 4011(1)(E) (2007), in the District Court (West Bath, *Field, J.*), and a judgment for the State Department of Agriculture and the Maine State Society for Protection of Animals forfeiting, pursuant to 17 M.R.S. § 1021 (2007), four horses owned by Hale and awarding restitution to the Department and the Society for the costs of caring for the animals. Contrary to Hale's contentions, the District Court was not compelled as a matter of law to either disbelieve the State's witnesses or to believe Hale's witnesses, *see State v. Ahmed*, 2006 ME 133, ¶ 21, 909 A.2d 1011, 1019, did not err in its application of 17 M.R.S. § 1021 or 7 M.R.S. § 4011(1)(E), and did not commit an error of law sufficient to warrant reversal in awarding restitution where costs could be assessed as part of the civil violation, *see 7 M.R.S. § 4016(1)(B)* (2007). Furthermore, Hale's claim of undue delay in the proceedings is without merit because she did not object to the court's rescheduling of the hearing regarding the State's seizure of her horses and contributed to the delay by seeking a continuance. We therefore affirm the judgments.

The entry is:

Judgments affirmed.

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