

STATE OF MAINE

v.

NEIL D. SALISBURY

Submitted on Briefs June 4, 2009

Decided June 30, 2009

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

MEMORANDUM OF DECISION

Neil D. Salisbury appeals from a judgment of conviction of one count of criminal trespass (Class E), 17-A M.R.S. § 402(1)(E) (2008), entered in the Superior Court (Hancock County, *Marden, J.*) on a jury verdict finding him guilty. Salisbury argues that: (1) the Town of Lamoine's restriction on his right to enter the Town office infringed upon his First Amendment rights; (2) the trespass statute is overbroad and void for vagueness as applied to public forums; (3) the Town's restriction on Salisbury's right to enter the Town office violates his constitutional due process rights; (4) the court erred by overruling his objection to the jury instructions; and (5) there was insufficient evidence to prove that a lawful order prohibiting him from entering the Town office existed.

Review of the record indicates that: (1) the trespass statute, 17-A M.R.S. § 402(1)(E), is sufficiently specific and Salisbury has not demonstrated violation of any of his constitutional rights, *see State v. Anthony*, 2002 ME 94, ¶ 5, 798 A.2d 1099, 1102; *State v. Chiapetta*, 513 A.2d 831, 832-33 (Me. 1986); (2) the jury was properly instructed, *see Chiapetta*, 513 A.2d at 832-33; and (3) there was sufficient evidence to support the conviction, *see State v. Crossman*, 2002 ME 28, ¶ 10, 790 A.2d 603, 606.

The entry is:

Judgment affirmed.

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