

STATE OF MAINE

v.

KEVIN DIONISIO

Submitted on Briefs January 13, 2009

Decided January 20, 2009

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

MEMORANDUM OF DECISION

Kevin Dionisio appeals from the judgment of the Superior Court (Cumberland County, *Cole, J.*) convicting him, on a jury's verdict, of eluding an officer (Class C), 29-A M.R.S. § 2414(3) (2008), and operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(C)(1) (2008). Dionisio contends that there was insufficient evidence to support the verdict on the eluding charge and that the trial court erred in overruling his objection to the prosecutor's statement about evidence during closing argument. Review of the record supports the accuracy of the prosecutor's statement in closing argument and indicates more than sufficient evidence to support the eluding conviction. *See State v. Smen*, 2006 ME 40, ¶ 7, 895 A.2d 319, 321.

The entry is:

Judgment affirmed.

Attorney for Kevin Dionisio:
Lawrence B. Goodglass, Esq.
Robinson, Kriger & McCallum
PO Box 568
Portland, Maine 04112-0568

Attorneys for the State of Maine:
Stephanie Anderson, District Attorney
Julia Sheridan, Asst. Dist. Atty.
142 Federal Street
Portland, Maine 04101