

STATE OF MAINE

v.

JAMI M. DUDLEY

Submitted on Briefs December 8, 2009

Decided December 17, 2009

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

MEMORANDUM OF DECISION

Jami M. Dudley appeals from the judgment of the Superior Court (Knox County, *Hjelm, J.*) convicting and sentencing her for assault on a child under six years of age (Class C), 17-A M.R.S. §207(1)(B) (2008) and endangering the welfare of a child (Class D), 17-A M.R.S. § 554(1)(C) (2008). On appeal, Dudley contends that the sentence imposed on the assault on a child charge, five years with all but two and a half years suspended and three years probation, was excessive and an error in principle. Dudley's appeal was filed directly with this Court, with no separate application for review by the sentence review panel of sentences deemed to be in error in principle, pursuant to M.R. App. P. 20, or any petition for leave to appeal the denial of Dudley's M.R. Crim. P. 35(b) motion for correction of sentence pursuant to M.R. App. P. 19. Because this Court has no authority to hear appeals directly that challenge the propriety, as opposed to the legality, of a sentence, or that challenge the denial of a motion for correction of a sentence, *see State v. Grindle*, 2008 ME 38, ¶ 13, 942 A.2d 673, 677; *State v. Briggs*, 2003 ME 137, ¶ 4, 837 A.2d 113, 115-16, this appeal must be dismissed.¹

¹ Even if we were to address the merits, we discern no error in sentencing principle committed by the court.

The entry is:

Appeal dismissed.

Attorney for Jami M. Dudley:

William S. Maddox, Esq.
32 School Street
PO Box 1202
Rockland, Maine 04841

Attorney for the State of Maine:

Christopher R. Fernald, Esq.
Prosecutorial District Six
Knox County Courthouse
62 Union Street
Rockland, Maine 04841