

STATE OF MAINE

v.

CHAD M. NAZER

Submitted on Briefs August 18, 2010

Decided September 2, 2010

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

MEMORANDUM OF DECISION

Chad M. Nazer appeals from the judgment of the Superior Court (Androscoggin County, *Delahanty, J.*) convicting him, following a jury-waived trial, of aggravated operating under the influence (Class C), 29-A M.R.S. § 2411(1-A)(D)(1), (5)(D-1) (2009), and driving to endanger (Class E), 29-A M.R.S. § 2413(1) (2009). On appeal, Nazer contends only that there was insufficient evidence in the record to support the court's finding that he caused serious bodily injury to another person, *see* 17-A M.R.S. § 2(23) (2009), aggravating the operating under the influence charge to a Class C crime. The victim's injuries in this case, which involved nerve damage to his knee, dislocated toes, wrist and arm fractures that required two surgeries to repair, six months of physical therapy and rehabilitation, and work and physical capacity impairments that were continuing as of the time of trial, were sufficient evidence of serious bodily injury. *See State v. Bowman*, 611 A.2d 560, 562 (Me. 1992); *State v. Frost*, 564 A.2d 70, 70-71 (Me. 1989); *State v. Colomy*, 407 A.2d 1115, 1119-20 (Me. 1979).

The entry is:

Judgment affirmed.

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