

STATE OF MAINE

v.

PAUL A. GROSS

Submitted on Briefs April 29, 2010  
Decided May 13, 2010

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

MEMORANDUM OF DECISION

Paul A. Gross appeals from the corrected sentence entered in the Unified Criminal Docket (Cumberland County, *Cole J.*) upon a judgment of conviction for one count of theft by unauthorized taking or transfer (Class B), 17-A M.R.S. § 353(1)(A), (B)(1) (2009), and one count of forgery (Class B), 17-A M.R.S. § 703(1)(A), (A-1)(1) (2009). Gross challenges the portion of the sentence that was unaffected by the sentence correction, in which the court (*Beaudoin, J.*) ordered him to pay \$27,959.11 in restitution.

Contrary to Gross's contention, the court did not err in setting the amount, time, and method of payment of restitution pursuant to 17-A M.R.S. § 1326-A (2008).<sup>1</sup> *See State v. Pease*, 2007 ME 155, ¶ 13, 940 A.2d 189, 192; *State v. Berube*, 1997 ME 165, ¶ 20, 698 A.2d 509, 516. Further, the court did not abuse its discretion in setting the amount of monthly restitution payments. *See* 15 M.R.S. §§ 2154-2155 (2009); *State v. Reese*, 2010 ME 30, ¶¶ 21-23, --- A.2d ---, ---; *Pease*, 2007 ME 155, ¶¶ 5-6, 940 A.2d at 190-91.

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<sup>1</sup> At the time of the sentencing hearing, title 17-A M.R.S. § 1326-A (2008) provided that “[w]hen restitution is authorized, the time and method of payment or of the performance of the services must be specified.” Section 1326-A has since been amended. *See* P.L. 2009, ch. 94, § 3 (effective Sept. 12, 2009).

The entry is:

Judgment affirmed.

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