

STATE OF MAINE

v.

FERN CLARK

Submitted on Briefs April 29, 2010
Decided May 18, 2010

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

MEMORANDUM OF DECISION

Pursuant to 15 M.R.S. § 2115 (2009), Fern Clark appeals from a judgment of conviction of fifteen counts of cruelty to animals (Class D), 17 M.R.S. § 1031(1)(E) (2009), entered in the Superior Court (Lincoln County, *Horton, J.*) following a jury-waived trial. Contrary to Clark's contention, the court properly denied her motion to suppress because the affidavit in support of the search warrant request established probable cause to justify the issuance of the warrant. *See State v. Gdovin*, 2008 ME 195, ¶ 9, 961 A.2d 1099, 1102; *State v. Rabon*, 2007 ME 113, ¶¶ 22-24, 930 A.2d 268, 276-77; *State v. Wright*, 2006 ME 13, ¶ 8, 890 A.2d 703, 705. Accordingly, we need not reach Clark's argument that the court erred in relying on the "good faith" exception to the exclusionary rule. *See United States v. Leon*, 468 U.S. 897, 922-23 (1984); *State v. Diamond*, 628 A.2d 1032, 1034 (Me. 1993).

The entry is:

Judgment affirmed.

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