

STATE OF MAINE

v.

DALE L. McIVER

Submitted on Briefs June 15, 2010

Decided July 8, 2010

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

MEMORANDUM OF DECISION

Dale L. McIver appeals from the judgment of the District Court (Calais, *Romei, J.*) finding him guilty of operating after habitual offender revocation (Class D), 29-A M.R.S. § 2557-A(2)(A) (2009), following a non-jury trial. The sole issue on appeal is McIver's claim that the District Court erred in admission of the Secretary of State's certificate regarding his habitual offender status in light of the United States Supreme Court's opinion in *Melendez-Diaz v. Massachusetts*, 556 U.S. ---, 129 S. Ct. 2527 (2009). In *State v. Murphy*, 2010 ME 28, 991 A.2d 35, we determined that Secretary of State certificates relating to driving records were admissible and not violative of the standards articulated by the United States Supreme Court in *Melendez-Diaz*. Therefore, the trial court in this case committed no error in admitting the Secretary of State's certificate.

The entry is:

Judgment affirmed.

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Calais District Court docket number CR-2009-353  
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