

STATE OF MAINE

v.

COURTNEY L. MARTIN

Submitted on Briefs July 7, 2010

Decided July 13, 2010

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

MEMORANDUM OF DECISION

Courtney L. Martin appeals her conviction of theft by unauthorized taking (Class E), 17-A M.R.S. § 353(1)(A) (2009), following a trial in the District Court (Newport, *Sparaco, J.*). Contrary to Martin’s contentions, viewing the evidence in the light most favorable to the State, the court could rationally find every element of the offense beyond a reasonable doubt and did not shift the burden of proof to her when it did not exclude every reasonable hypothesis of innocence, *see State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152, 1158 (citing standard of review); *State v. Moores*, 2009 ME 102, ¶ 10, 982 A.2d 318, 320 (holding that proof by circumstantial evidence “need not exclude every reasonable hypothesis of innocence, provided the record as a whole supports a conclusion of guilt beyond a reasonable doubt” (quoting *United States v. Lugo Guerrero*, 524 F.3d 5, 13 (1st Cir. 2008))).

The entry is:

Judgment affirmed.

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