

STATE OF MAINE

v.

ROBERT W. WILLIAMS

Submitted on Briefs August 16, 2011
Decided September 1, 2011

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

MEMORANDUM OF DECISION

Robert W. Williams appeals from the judgment of the District Court (Waterville, *Dow, J.*) convicting him, after a nonjury trial, of theft by unauthorized taking (Class D), 17-A M.R.S. § 353(1)(B)(5) (2010), and violation of condition of release (Class E), 15 M.R.S. § 1092(1)(A) (2010). The violation of condition of release charge was based on the theft being new criminal conduct violating a condition of pre-conviction bail in an unrelated matter. Williams contends that the evidence was insufficient to support the convictions to the beyond a reasonable doubt standard.

On review, the evidence must be considered in the light most favorable to the court's judgment. *State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152. Taken most favorably to the State, the evidence here indicates that the victim of the theft had observed her purse with cash in it before Williams was in her home alone and unobserved, and that after Williams left her home, the cash was missing from her purse, and that no one else was in the home alone and unobserved during the time when the cash disappeared. The evidence also supports the court's finding that the amount of cash exceeded \$500. Accordingly, the evidence was sufficient to

support the court's findings of guilt as to both charges. *See State v. Willette*, 2002 ME 165, ¶¶ 9-10, 809 A.2d 617.

The entry is:

Judgment affirmed.

Attorney for Robert Williams:

Jeremy Pratt, Esq.
PO Box 335
Camden, Maine 04843

Attorneys for the State of Maine:

Evert N. Fowle, District Attorney
Deborah Bertos, Asst. Dist. Atty.
Prosecutorial District IV
95 State Street
Augusta, Maine 04330