

STATE OF MAINE

v.

SCOTT A. COOMBS

Argued September 13, 2011

Decided November 3, 2011

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

MEMORANDUM OF DECISION

Scott A. Coombs appeals from a judgment, entered in the District Court (West Bath, *J.D. Kennedy, J.*) after a bench trial, convicting him of domestic violence assault (Class D), 17-A M.R.S. § 207-A(1)(A) (2010), and violation of a condition of release (Class E), 15 M.R.S. § 1092(1)(A) (2010). Contrary to Coombs's contentions, the court did not clearly err in ruling that the victim's statement that Coombs had pushed her was admissible as an excited utterance pursuant to M.R. Evid. 803(2). *See State v. Metzger*, 2010 ME 67, ¶ 9, 999 A.2d 947.

The entry is:

Judgment affirmed.

On the briefs:

Caleb J. Gannon, Esq., Law Offices of Anthony J. Sineni, III, LLC,
Portland, for appellant Scott A. Coombs

Geoffrey Rushlau, District Attorney, Patricia A. Mador, Asst. Dist. Atty.,
Bath, for appellee State of Maine

At oral argument:

Caleb J. Gannon, Esq., for appellant Scott A. Coombs

Patricia A. Mador, Asst. Dist. Atty., for appellee State of Maine