

STATE OF MAINE

v.

BRANDON A. PELLETIER

Submitted on Briefs January 6, 2011
Decided January 27, 2011

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

MEMORANDUM OF DECISION

Brandon A. Pelletier appeals from the judgment of conviction of the Superior Court (York County, *Brennan, J.*) entered following a jury verdict finding him guilty of eluding an officer (Class C), 29-A M.R.S. § 2414(3) (2010); driving to endanger (Class E), 29-A M.R.S. § 2413(1) (2010); and operating a vehicle without a license (Class E), 29-A M.R.S. § 1251(1)(A) (2010). On appeal, Pelletier challenges only the felony eluding an officer conviction. Pelletier contends that the evidence is insufficient to support the jury's findings that he engaged in a high-speed chase and that he was attempting to elude a law enforcement officer and that the court erred in denying his motion for a judgment of acquittal on the eluding charge. Recognizing that it is a jury's prerogative to assess the credibility of the evidence and draw any inference reasonably supported by the evidence, the evidence here is more than sufficient to support the jury's finding of guilt on the eluding charge. *See State v. Filler*, 2010 ME 90, ¶ 24, 3 A.3d 365, 372 (applying a sufficiency of the evidence analysis to review the denial of a motion for a judgment of acquittal); *State v. Milliken*, 2010 ME 1, ¶ 19, 985 A.2d 1152, 1158; *State v. Smen*, 2006 ME 40, ¶ 7, 895 A.2d 319, 321.

The entry is:

Judgment affirmed.

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