

STATE OF MAINE

v.

GEORGE C. LEINO

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

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

MEMORANDUM OF DECISION

George C. Leino appeals from the judgment of the District Court (Millinocket, *Stitham, J.*) convicting him, following a conditional plea, M.R. Crim. P. 11(a)(2), of operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(A) (2010). On appeal, Leino asserts that the court erred in denying his motion to suppress because there was insufficient evidence to give rise to a reasonable articulable suspicion to stop his vehicle for suspicion of operating under the influence. The evidence, indicating that Leino was driving very slowly and then, after resuming normal speed, engaged in approximately six slow drifts from the fog line to the center line within a distance of one mile, is sufficient to support the decision to stop Leino for suspicion of operating under the influence. *See State v. Burgess*, 2001 ME 117, ¶ 8, 776 A.2d 1223, 1227; *State v. Eklund*, 2000 ME 175, ¶ 6, 760 A.2d 622, 624.

The entry is:

Judgment affirmed.

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Millinocket District Court docket number CR-2009-314
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