

STATE OF MAINE

v.

MICHELLE J. VANALSTYNE

Submitted on Briefs April 28, 2011
Decided May 12, 2011

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

MEMORANDUM OF DECISION

Michelle J. Vanalstyne appeals from the judgment of the District Court (Ellsworth, *R. Murray, J.*) finding her to have committed the offense of operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(A) (2010) following a bench trial. On appeal, Vanalstyne contends that the evidence is insufficient to support the conviction to the beyond a reasonable doubt standard. When the issue is sufficiency of the evidence, we evaluate the record considering the evidence, and the inferences that may be drawn from the evidence, most favorably to the result reached by the trial court. *State v. Medeiros*, 2010 ME 47, ¶ 16, 997 A.2d 95, 99. Here, based on the evidence presented, the court could have concluded that Vanalstyne was operating her motor vehicle, that it had gone off the road relatively recently before it was discovered, and that when she was operating the motor vehicle, she was affected, to some degree, by the alcohol she had consumed and had a blood-alcohol content in excess of .08.

The entry is:

Judgment affirmed.

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Ellsworth District Court docket number CR-2010-291
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