

STATE OF MAINE

v.

HOOMAN YAZDANPANAH

Submitted on Briefs June 30, 2011

Decided July 5, 2011

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

MEMORANDUM OF DECISION

Hooman Yazdanpanah appeals from a judgment of conviction entered in the Unified Criminal Docket (Cumberland County, *Cole, J.*) upon a jury verdict finding him guilty of operating after habitual offender revocation (Class D), 29-A M.R.S. § 2557-A(2)(A) (2010). Contrary to Yazdanpanah's contentions, (1) the court did not abuse its discretion in denying his motion for a mistrial because the court's curative instruction adequately negated any potential unfair prejudice to Yazdanpanah that might have resulted from the prosecutor's opening statements, *see State v. Krieger*, 2002 ME 139, ¶ 14, 803 A.2d 1026, 1030-31; *State v. Ardolino*, 1997 ME 141, ¶ 18, 697 A.2d 73, 79; and (2) the prosecutor's closing statements did not constitute an obvious error that was so highly prejudicial as to virtually deprive Yazdanpanah of a fair trial, *see State v. Schmidt*, 2008 ME 151, ¶¶ 15-17, 957 A.2d 80, 85; *State v. Eaton*, 669 A.2d 146, 150-51 (Me. 1995); *State v. Comer*, 644 A.2d 7, 9 (Me. 1994); *see also* U.C.D.R.P.-Cumberland County 52(b).

The entry is:

Judgment affirmed.

Attorney for Hooman Yazdanpanah:

Joel Vincent, Esq.
Vincent, Kantz, Ruffner & Pittman, LLC
80 Exchange Street, Suite 32
Portland, Maine 04101

Attorneys for the State of Maine:

Stephanie Anderson, District Attorney
Julia Sheridan, Asst. Dist. Atty.
Prosecutorial District No. Two
142 Federal Street
Portland, Maine 04101

Cumberland County Unified Criminal Docket docket number CR-2010-4576
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