

STATE OF MAINE

v.

MATTHEW A. GLINES

Submitted on Briefs June 22, 2022  
Decided June 30, 2022

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Matthew Glines appeals from a judgment of conviction of operating after habitual offender revocation (Class C), 29-A M.R.S. § 2557-A(2)(B) (2022), entered in the Unified Criminal Docket (Penobscot County, *Anderson, J.*) after a conditional guilty plea, *see* M.R.U. Crim. P. 11(a)(2). Contrary to Glines's contention,<sup>1</sup> the suppression court (*Campbell, J.*) did not err when it concluded that the traffic stop resulting in his prosecution was supported by the officer's reasonable, articulable suspicion that Glines's vehicle made an unnecessary noise in violation of 29-A M.R.S. § 2079 (2022) ("Braking or acceleration may not be unnecessarily made so as to cause a harsh and objectionable noise."). *See State v. Violette*, 2016 ME 65, ¶¶ 3-4, 138 A.3d 491.

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<sup>1</sup> To the extent Glines contends that 29-A M.R.S. § 2079 (2022) is unconstitutionally vague, that issue was not raised below and is unpreserved. *See* M.R.U. Crim. P. 11(a)(2) (limiting the scope of appellate review of conditional pleas to the "pretrial motion and the ruling thereon"); *State v. Buchanan*, 2007 ME 58, ¶ 11, 921 A.2d 159 (declining to consider an unpreserved argument pursuant to M.R. Crim. P. 11(a)(2)).

The entry is:

Judgment affirmed.

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Erik T. Crocker, Esq., Farrell, Rosenblatt & Russell, Bangor, for appellant  
Matthew A. Glines

Marianne Lynch, District Attorney, and Mark A. Rucci, Dep. Dist. Atty.,  
Prosecutorial District V, Bangor, for appellee State of Maine

Penobscot County Unified Criminal Docket docket number CR-2019-2078  
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