

STATE OF MAINE

v.

WILLIAM DeCASTRO

Submitted on Briefs November 21, 2000
Decided November 28, 2000

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

William DeCastro appeals from a sentence imposed by the Superior Court (Franklin County, *Marden, J.*), after a jury found him guilty of criminal operating under the influence. 29-A M.R.S.A. § 2411(1) (1996 & Supp. 1999) (Class D).¹ Contrary to DeCastro's contentions, the record discloses no illegality in the sentence. *See State v. Eastman*, 1997 ME 39, ¶ 14, 691 A.2d 179, 184, n. 6.

The entry is:

Judgment affirmed.

1. Section 2411 states in relevant part:

§ 2411. Criminal OUI

1. **Offense.** A person commits OUI, which is a class D crime unless otherwise provided, if that person operates a motor vehicle:

- A. While under the influence of intoxicants; or
- B. While having a blood alcohol level of 0.08% or more.

Attorneys for State:

Norman R. Croteau, District Attorney
Andrew S. Robinson, Asst. Dist. Atty.
38 Main street
Farmington, ME 04938-1818

Attorney for defendant:

Margot Joly, Esq.
LaVerdiere & Assoc., P.A.
P O Box 670
Wilton, ME 04294