

STATE OF MAINE

v.

CHARLES BROOKS

Submitted on Briefs February 8, 2000

Decided February 10, 2000

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

MEMORANDUM OF DECISION

Charles Brooks appeals from the denial of his motion for a new trial by the Superior Court (Waldo County, *Mills, J.*) following his conviction on a jury verdict for trafficking in marijuana in violation of 17-A M.R.S.A. § 1103 (1983 & Supp. 1999). Contrary to his contention, the trial court did not abuse its discretion in refusing him an evidentiary hearing on his motion. *See State v. Walker*, 510 A.2d 1064, 1067 (Me. 1986). Brooks did not allege specific facts and circumstances outside the record, which if proven, would have provided grounds for the granting of a new trial. *See State v. Fuller*, 660 A.2d 915, 916-18 (Me. 1994).

The entry is:

Judgment affirmed.

Attorneys for State:

Geoffrey A. Rushlau, District Attorney
Leane M. Zainea, Deputy Dist. Atty.
137 Church Street
Belfast, ME 04915

Attorney for defendant (on appeal):

Daniel C. Purdy, Esq.
P O Box 131
Waldoboro, ME 04572