

STATE OF MAINE

v.

STEPHEN NICHOLS

Submitted on Briefs February 25, 2000
Decided February 28, 2000

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

MEMORANDUM OF DECISION

Stephen Nichols appeals from the judgment of the Superior Court (Lincoln County, *Atwood*, J.) affirming his conviction in the District Court (Wiscasset, *Anderson*, J.) for operating under the influence in violation of 29-A M.R.S.A. § 2411 (1996 & Supp. 1999). Contrary to Nichols' contention, there was no clear error in the finding by motion court (*Field*, J.) of reasonable articulable suspicion sufficient to justify an investigatory stop. *See State v. Brown*, 675 A.2d 504, 505 (Me. 1996). Also contrary to Nichols' contention, he was not denied due process of law when the court found that his blood-alcohol level was .15% or greater. He had a trial at which he cross-examined the State's expert chemist and had the opportunity to present his own evidence on the issue of the blood-alcohol level.

The entry is:

Judgment affirmed.

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