

STATE OF MAINE

v.

MERRILEE LEVENSAILOR

Submitted on Briefs February 25, 2000  
Decided March 21, 2000

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

MEMORANDUM OF DECISION

Merrilee Levensailor appeals from a judgment entered in the Superior Court (Penobscot County, *Hjelm, J.*) affirming a judgment entered in the District Court (Newport, *MacMichael, J.*), following a trial at which Levensailor was found guilty of theft by unauthorized taking. *See* 17-A M.R.S.A. § 353(1) (1983). Contrary to the contentions of Levensailor, the evidence, viewed in a light most favorable to the State, was sufficient to allow a fact-finder to rationally find each of the elements of theft by unauthorized taking beyond a reasonable doubt, *see State v. Hayes*, 675 A.2d 106, 109 (Me. 1996); *State v. Nelson*, 1998 ME 183, ¶ 5, 714 A.2d 832, 833; *State v. Brasslett*, 451 A.2d 890, 893 (Me. 1982), and the charging instrument was neither defective nor unconstitutionally vague, *see State v. Perkins*, 518 A.2d 715, 716-17 (Me. 1986); *see also State v. Brasslett*, 451 A.2d at 893.

The entry is:

Judgment affirmed.

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