

STATE OF MAINE

v.

JEFFREY HARRISON

Submitted on Briefs March 29, 2000
Decided March 31, 2000

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

MEMORANDUM OF DECISION

Jeffrey Harrison appeals from a judgment of conviction entered in the Superior Court (Piscataquis County, *Mills, J.*) finding Harrison guilty of cruelty to animals pursuant to 17 M.R.S.A. § 1031 (Supp. 1999). Contrary to the defendant's contentions, based on the evidence viewed in a light most favorable to the state, the jury rationally could have found beyond a reasonable doubt that Harrison did not have a legal privilege to kill Mulligan. *See State v. Chad B.*, 1998 ME 150, ¶ 11, 715 A.2d 144, 146-47. Moreover, the court's omission of the phrase "domesticated animal" from its legal privilege instruction did not constitute obvious error. *See State v. Doyon*, 1999 ME 185, ¶ 7, 745 A.2d 365.

The entry is:

Judgment affirmed.

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Mr. Harrison was represented by court-appointed counsel at trial.