

STATE OF MAINE

v.

ROBERT VOISINE

Submitted on Briefs May 25, 2000  
Decided May 26, 2000

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

MEMORANDUM OF DECISION

Robert Voisine appeals from the judgment entered in the Superior Court (Penobscot County, *Mills, J.*) on a jury verdict finding him guilty of operating a vehicle under the influence in violation of 29-A M.R.S.A. § 2411 (1995 & Supp. 1996), and leaving the scene of an accident in violation of 29-A M.R.S.A. § 2254 (1995). Contrary to Voisine's argument, there was sufficient evidence from which the jury rationally could have found beyond a reasonable doubt that he was guilty of each offense charged. *See State v. Marden*, 673 A.2d 1304, 1311 (Me. 1996). In addition, as Voisine did not file a motion prior to trial seeking to suppress the statements on the ground of a violation of his *Miranda* rights, he has failed to preserve this issue for review. *See State v. Bouchard*, 489 A.2d 517, 520 (Me. 1985) ("[T]he untimeliness of the motion to suppress constitute[s] a waiver of defendant's right to have the statement suppressed on the grounds of involuntariness or violation of *Miranda* rights.").

The entry is:

Judgment affirmed.

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