

STATE OF MAINE

v.

STEPHEN CARMICHAEL

Submitted on Briefs June 15, 2000
Decided June 19, 2000

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

MEMORANDUM OF DECISION

Stephen Carmichael appeals from a judgment of conviction entered after a jury trial in the Superior Court (Somerset County, *Mills, J.*) on a charge of gross sexual assault pursuant to 17-A M.R.S.A. § 253 (Supp. 1999). Contrary to his contentions, the trial court did not abuse its discretion or commit obvious error when it: (1) limited the scope of impeachment testimony, *see State v. Bennett*, 658 A.2d 1058, 1062; (2) held that the State could introduce Carmichael's sanitized record under M.R. Evid. 609, *see State v. Hanscome*, 459 A.2d 569, 572 (Me. 1983); (3) held that statements made by Carmichael to a police detective were not admissible under M.R. Evid. 804(b)(3) when offered by Carmichael himself, *see State v. Cochran*, 2000 ME 78, ¶ 10, 749 A.2d 1274, 1278; (4) allowed a police detective to testify about the victim's photo identification, *see* M.R. Evid. 801(d)(1)(B); *State v. Cardage*, 544, A2d 355, 361 (Me. 1988); or (5) denied

Carmichael's motion for a mistrial, *see State v. Clarke*, 1999 ME 141, ¶ 17, 738 A.2d 1233, 1236.

The entry is:

Judgment affirmed.

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