

STATE OF MAINE

v.

TIMOTHY KIPER

Submitted on Briefs November 21, 2001
Decided December 26, 2001

[¶1] Timothy Kiper appeals from a judgment entered in the Superior Court (Oxford County, *Delahanty, J.*) following a jury waived trial finding him guilty of two counts of assault, 17-A M.R.S.A. § 207(1) (1983 & Supp. 2000), and one count of aggravated assault, 17-A M.R.S.A. § 208(1)(A) (1983 & Supp. 2000). Contrary to his contentions, when the evidence is viewed in a light most favorable to the State, the court rationally could have found Kiper guilty beyond a reasonable doubt, *see State v. Gorman*, 648 A.2d 967 (Me. 1994), and the court properly admitted evidence of similar prior conduct pursuant to M.R. Evid. 404(b), *see State v. DeLong*, 505 A.2d 803, 806 (Me. 1986).

The entry is:

Judgment affirmed.

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