

STATE OF MAINE

v.

JOSHUA HARWOOD

Submitted on Briefs January 31, 2001  
Decided February 1, 2001

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

# MEMORANDUM OF DECISION

Joshua Harwood appeals from the judgment entered in the Superior Court (Sagadahoc County, *Atwood, J.*) pursuant to a jury verdict finding him guilty of two counts of aggravated operating under the influence. Contrary to Harwood's contentions, there was sufficient evidence for the jury to have rationally found beyond a reasonable doubt that he was operating the vehicle at the time of the accident, *see State v. Poulin*, 1997 ME 160, ¶ 15, 697 A.2d 1276, 1280; the prosecutor's comments in closing argument regarding Harwood's defenses and his use of marijuana did not constitute reversible error, *see State v. Lyons*, 1998 ME 225, ¶ 7, 718 A.2d 1102, 1105; and the Superior Court did not err in denying his motion for a judgment of acquittal because the victim of a crime is not an accomplice, *see* 17-A M.R.S.A. § 57(5)(A) (1983).

The entry is:

Judgment affirmed.

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