

STATE OF MAINE

v.

MICHAEL ENO

Submitted on Briefs September 26, 2002
Decided November 5, 2002

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

MEMORANDUM OF DECISION

Michael Eno appeals from a judgment of the Superior Court (Kennebec County, *Marden, J.*) convicting him of two counts of theft by deception (Class C), 17-A M.R.S.A. § 354(1) (1983),¹ following a jury trial. Contrary to Eno's contentions, the evidence was sufficient to allow the jury to find, beyond a reasonable doubt, all the elements of theft by deception charged in Count I, and that the amount of the theft exceeded \$2000, *see generally State v. Turner*, 2001 ME 44, ¶ 6, 766 A.2d 1025, 1027 (providing the standard of review for sufficiency

¹ Eno was sentenced on Count I to a term of five years, all but two years suspended, and four years of probation; and on Count II he was sentenced to a consecutive term of five years, all suspended, four years probation.

of evidence appeals). Furthermore, the court did not act beyond its discretion by admitting photographic evidence, and any error in admitting the letter sent to Eno by Waterville's Code Enforcement Officer was harmless. *State v. DeMass*, 2000 ME 4, ¶ 17, 743 A.2d 233, 237.

The entry is:

Judgment affirmed.

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