

STATE OF MAINE

v.

JOSEPH BAKER

Submitted on Briefs November 26, 2002
Decided December 10, 2002

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

MEMORANDUM OF DECISION

Joseph Baker appeals from a judgment of conviction entered in the District Court (Portland, *Lawrence, J.*) following a bench trial finding him guilty of one count of assault, 17-A M.R.S.A. § 207 (1983) (Class D). Contrary to Baker's contentions, the District Court did not exceed the bounds of its discretion in ruling the victim's hearsay statements qualify as "excited utterances," *see State v. Robinson*, 2001 ME 83, ¶¶ 11-16, 773 A.2d 445, 449-51, nor did the court violate his Sixth Amendment right to confront and cross-examine a witness against him, *Id.* ¶¶ 17-18.

The entry is:

Judgment affirmed.

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