

STATE OF MAINE

v.

DAVID C. ZABALA

Submitted on Briefs November 26, 2002

Decided December 24, 2002

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

MEMORANDUM OF DECISION

David Zabala appeals from the decision of the District Court (Bar Harbor, *Staples, J.*) finding that he committed the offense of automotive speeding, 29-A M.R.S.A. § 2073(3) (1996). Contrary to Zabala's arguments, the District Court properly applied the statutory presumption, 29-A M.R.S.A. § 2075(4)(A) (1996), that speed measured by radar is the actual speed of the automobile, *see State v. Arnheiter*, 598 A.2d 1183, 1185 (Me. 1991), and the District Court did not clearly err when it found the State had produced sufficient evidence to find Zabala in violation of the statute, *id.*

The entry is:

Judgment affirmed.

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