

STATE OF MAINE
CUMBERLAND, SS.

UNIFIED CRIMINAL DOCKET
LOCATION: PORTLAND
DOCKET NO. CR-08-2303
PL - C.D. - 2009

STATE OF MAINE

VS.

DECISION & ORDER

KENNETH VILLELLA

There was a hearing on April 7, 2009 concerning Defendant Kenneth Villella's Motion to Dismiss dated November 3, 2008 asserting violation of his right to a speedy trial, and Defendant's Motion to Dismiss for Double Jeopardy Violation dated March 17, 2009. Assistant Attorney General Leanne Robbin represented the State. Luke Rioux, Esq, represented Defendant.¹

Based on review of the pleadings and argument of counsel, Defendant's Motion to Dismiss dated November 3, 2008 asserting violation of his right to a speedy trial is denied. See, e.g., *State v. Rippy*, 626 A.2d 334 (Me. 1993).

¹ The background facts are not in dispute, need not be repeated here, and can be developed by stipulation if necessary for any further review of these issues.

Based on review of the pleadings and argument of counsel, and application of the factors set forth in *Hudson v. U.S.*, 522 U.S. 93 (1997), Defendant's Motion to Dismiss for Double Jeopardy Violation dated March 17, 2009 is denied.

Defendant has requested that his Motion in Limine to Exclude Evidence dated February 18, 2009 be held in abeyance until trial.

Dated: 4/8/09



Judge, Unified Criminal Docket

cc:
AG: Leanne Robbin
Def. Atty: Luke Rioux

A True Copy
Asst. Jory A. Burch
March 18, 2009