

Decision: 2015 ME 67
Docket: Ken-14-269
Argued: April 9, 2015
Decided: May 19, 2015
Corrected: October 29, 2015

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, JABAR, and HJELM, JJ.

STATE OF MAINE

v.

RICHARD J. KIMBALL

ERRATA SHEET

The opinion of this Court certified on May 19, 2015, is amended as follows:

Paragraph 15 is changed to read:

[¶15] The Confrontation Clauses of the United States and Maine Constitutions guarantee that “[i]n all criminal prosecutions, the accused shall enjoy the right . . . to be confronted with the witnesses against him [or her].” U.S. Const. amend. VI; *see also* Me. Const. art. I, § 6. The federal constitutional guarantee is applied to the states through the Fourteenth Amendment. *See* U.S. Const. amend. XIV, § 1; *State v. Johnson*, 2014 ME 83, ¶ 8 n.2, 95 A.3d 621. The reach of this guarantee is limited to “testimonial” evidence, which the Supreme Court has described as “typically a solemn declaration or affirmation made for the purpose of establishing or proving some fact.” *Crawford*, 541 U.S. at 51.

The original opinion on the Judicial Branch website has been replaced with the opinion as corrected.