

# United States Court of Appeals For the First Circuit

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No. 01-1336

UNITED STATES OF AMERICA,  
Appellant,

v.

THOMAS HILL,  
Defendant, Appellee.

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APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MAINE

[Hon. D. Brock Hornby, U.S. District Judge]

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Before

Selya, Circuit Judge,

Stahl, Senior Circuit Judge,

and Doumar,\* Senior District Judge.

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F. Mark Terison, Senior Litigation Counsel, with whom Paula D. Silsby, United States Attorney, was on brief, for appellant.  
James S. Nixon, with whom Gross, Minsky & Mogul, P.A. was on brief, for appellee.

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October 23, 2001

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\*Of the Eastern District of Virginia, sitting by designation.

**Per Curiam.** This appeal was argued on September 14, 2001, in conjunction with several other appeals raising the same principal question: does an undifferentiated conviction under Maine's general-purpose assault statute, Me. Rev. Stat. Ann. tit. 17-A, § 207, constitute a conviction for a misdemeanor crime of domestic violence within the purview of 18 U.S.C. § 922(g)(9)? We answered that question affirmatively in United States v. Nason, \_\_\_ F.3d \_\_\_ (1st Cir. 2001) [No. 01-1440]. Nason is fully dispositive here. Accordingly, the government's appeal is sustained, the district court's dismissal of the indictment is reversed, and the case is remanded for further proceedings consistent with the rule announced in Nason.

**Reversed and remanded.**