

United States Court of Appeals For the First Circuit

No. 01-1412

UNITED STATES OF AMERICA,

Appellee,

v.

TIMOTHY A. HESKETH,

Defendant, Appellant.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MAINE

[Hon. Gene Carter, U.S. District Judge]

Before

Selya, Circuit Judge,

Stahl, Senior Circuit Judge,

and Doumar,* Senior District Judge.

John E. Geary for appellant.

F. Mark Terison, Senior Litigation Counsel, with whom Paula D. Silsby, United States Attorney, was on brief, for appellee.

October 23, 2001

*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. Since, the district court did not err in refusing to allow the defendant to withdraw his guilty plea, the conviction and sentence are

Affirmed.