

SUPREME JUDICIAL COURT OF MAINE

State of Maine v. Jacob Miller

Miller, 2026 ME 37 (Supreme Judicial Court of Maine 2026) · No. Cum-25-84 · Decided April 23, 2026

SUMMARY

The Maine Supreme Judicial Court affirmed Jacob Miller’s conviction and sentence for domestic violence aggravated assault. The court held that due process permitted the sentencing court to rely on the victim’s unsworn statements and a medical expert’s report because Miller had an opportunity to challenge the information but did not do so. The court reviewed the unpreserved claims for obvious error and found none.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Douglas, J.; Stanfill, C.J.; Mead, J.; Connors, J.; Lawrence, J.
JURISDICTION	Maine Supreme Judicial Court
DECIDED	April 23, 2026
DOCKET	Cum-25-84
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment of conviction entered after Miller pleaded guilty to domestic violence aggravated assault. Miller challenged the legality of the sentence on due process grounds, arguing that the sentencing court relied on contested, unsworn victim statements and an unsworn expert report without cross-examination.
STANDARD OF REVIEW	Constitutional violations and misapplication of legal principles concerning the basic sentence are reviewed de novo; because Miller did not preserve the objections in the trial court, the court reviewed for obvious error.
PRECEDENTIAL VALUE	published
PARTIES	Jacob Miller v. State of Maine

TOPICS

- sentencing
- due process
- criminal procedure
- evidence
- appellate procedure

PRACTICE AREAS

criminal procedure

sentencing

constitutional law

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether due process prohibited the sentencing court from relying on the victim's unsworn statements describing additional strangulation incidents when Miller did not object, request an oath or cross-examination, or present an alternative account.
2. Whether due process prohibited the sentencing court from relying on the State's expert medical report when the report's author was not subject to cross-examination.
3. Whether the sentencing court committed obvious error in determining the basic sentence by relying on information that was inaccurate, unreliable, or insufficiently tested.

HOLDINGS

1. A sentencing court may rely on unsworn victim statements when the defendant was given an opportunity to contest, deny, explain, or cross-examine the information and declined to do so, provided the information is factually reliable and relevant.
2. A sentencing court may consider an expert medical report without requiring live testimony or cross-examination when the defendant had the report before sentencing, failed to challenge it or request cross-examination or a continuance, and the report's contents and corroborating materials support its reliability.
3. The court declined to reach Miller's Sixth Amendment Confrontation Clause argument because it was inadequately developed.

KEY QUOTATIONS

"Courts have wide discretion in determining what information to consider in sentencing, "limited only by the due process requirement that such information must be factually reliable and relevant." (¶ 23)

"From a due process perspective, the pivotal question is whether Miller was deprived of an opportunity to test the validity or reliability of the facts upon which the court relied at sentencing." (¶ 26)

"Miller had the "opportunity to deny or explain information considered in determining the appropriate sentence," State v. Hardy, 489 A.2d 508, 512 (Me. 1985), and did not avail herself of that opportunity" (¶ 31)

FACTUAL BACKGROUND

Miller pleaded guilty to domestic violence aggravated assault arising from an assault on a former roommate and sexual partner. At sentencing, the victim described repeated strangulations, beating, restraint, and resulting physical and mental injuries. The State submitted an expert medical report based on medical records and other investigative materials, and the sentencing court relied on the victim's statements and the report in determining the basic sentence. Miller did not object to the victim's unsworn statements, request cross-examination, object to the expert report, present an alternative account, or seek a continuance.

PROCEDURAL HISTORY

The State charged Miller with four crimes and later obtained a superseding indictment adding attempted murder. Following a settlement conference, Miller pleaded guilty to domestic violence aggravated assault in exchange for dismissal of the other charges, with sentencing contested. The Cumberland County Unified Criminal Docket imposed seven years of imprisonment with all but four years suspended and three years of probation. The Sentence Review Panel denied Miller's application for sentence review, and the Supreme Judicial Court affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Bennett, 2015 ME 46, ¶ 14, 114 A.3d 994
- State v. Jones, 2012 ME 126, ¶ 35, 55 A.3d 432
- State v. Plummer, 2020 ME 143, ¶ 10, 243 A.3d 1184
- State v. Norris, 2023 ME 60, ¶ 33, 302 A.3d 1
- State v. Burdick, 2001 ME 143, ¶¶ 12-13, 782 A.2d 319
- State v. Witmer, 2011 ME 7, ¶ 20, 10 A.3d 728
- State v. Seamon, 2017 ME 123, ¶ 24, 165 A.3d 342
- State v. Rosa, 575 A.2d 727, 730 (Me. 1990)
- State v. Dumont, 507 A.2d 164, 166-68 (Me. 1986)
- United States v. Curran, 926 F.2d 59, 61 (1st Cir. 1991)
- State v. Whitten, 667 A.2d 849, 852 (Me. 1995)
- State v. Goncalves, 2025 ME 70, ¶¶ 42-45, 49-51, 340 A.3d 639
- State v. Servil, 2025 ME 73, 340 A.3d 630
- State v. Soucy, 2006 ME 8, ¶ 16, 890 A.2d 719
- State v. Hardy, 489 A.2d 508, 512 (Me. 1985)
- In re Involuntary Commitment of M., 2020 ME 99, ¶ 17, 237 A.3d 190
- State v. Fleming, 644 A.2d 1034, 1036 (Me. 1994)
- Williams v. New York, 337 U.S. 241, 244-50 (1949)
- United States v. Fatico, 603 F.2d 1053, 1054-55 (2d Cir. 1979)
- State v. Thomas, 2025 ME 34, ¶ 49 n.27, 334 A.3d 686
- Crawford v. Washington, 541 U.S. 36, 68 (2004)
- United States v. Bras, 483 F.3d 103, 109 (D.C. Cir. 2007)

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