

SUPREME JUDICIAL COURT OF MAINE

State of Maine v. Daniel Cardona

2025 ME 97 (Supreme Judicial Court of Maine 2025) · No. Cum-24-530 · Decided December 18, 2025

SUMMARY

The Maine Supreme Judicial Court affirmed Daniel Cardona’s conviction for unlawful sexual contact. The court held that the trial court acted within its discretion in admitting evidence of Cardona’s subsequent sexual behavior toward the victim under Maine Rule of Evidence 403. It also held that evidence of threats Cardona made toward the victim’s cousin was properly excluded as irrelevant because there was no sufficient connection to the victim’s allegations or motive to fabricate.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	CONNORS, J.; STANFILL, C.J.; MEAD, J.; LAWRENCE, J.; DOUGLAS, J.
JURISDICTION	Maine Supreme Judicial Court
DECIDED	December 18, 2025
DOCKET	Cum-24-530
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from judgment of conviction for unlawful sexual contact (Class B).
STANDARD OF REVIEW	For relevance determination: clear error. For ultimate admissibility ruling: abuse of discretion. For Rule 403 balancing: broad discretion.
PRECEDENTIAL VALUE	precedential
PARTIES	Daniel Cardona v. State of Maine

TOPICS

- evidence
- relevance
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in admitting evidence of Cardona's subsequent sexual behavior toward the victim under M.R. Evid. 403.
2. Whether the trial court erred in excluding evidence of Cardona's threats toward the victim's cousin as irrelevant.

HOLDINGS

1. The court did not abuse its discretion in admitting the evidence of the sex-toy incident, as the evidence was relevant from inception and the trial court's initial Rule 403 ruling was not final.
2. The trial court did not err in excluding the threat evidence as irrelevant because there was no evidence the victim knew of the threats or that the victim and family conspired to fabricate the allegations.

KEY QUOTATIONS

"I'm reserving the right, though, that if the issue is generated, the State can reapproach on it . . . I'm going to say that the State can't use it unless they seek based on something that was opened. I think there are a lot of issues that could get generated during this trial, so I'm reserving the right to reconsider. But for now, I'm saying that it's not going to come in." (§19)

FACTUAL BACKGROUND

Cardona, the victim's great-uncle, sexually assaulted the victim when she was twelve years old. The victim disclosed the assault to her mother after a family conversation encouraged her to come forward. At trial, the State sought to introduce evidence of a subsequent incident where Cardona offered a sex toy to the victim and another individual. Cardona sought to introduce evidence of threats he made toward the victim's cousin to support his theory that the victim fabricated the allegations.

PROCEDURAL HISTORY

Cardona was convicted by a jury of unlawful sexual contact (Class B). He appealed challenging the admission of evidence regarding his subsequent sexual behavior toward the victim and the exclusion of evidence regarding his threats toward the victim's cousin.

DISPOSITION

affirmed

CASES CITED

- State v. Athayde, 2022 ME 41, 277 A.3d 387
- State v. DeLong, 505 A.2d 803 (Me. 1986)
- State v. Kimball, 2016 ME 75, 139 A.3d 914
- State v. Patterson, 651 A.2d 362 (Me. 1994)
- State v. Hunt, 2023 ME 26, 293 A.3d 423
- State v. Deering, 611 A.2d 972 (Me. 1992)

- State v. Pratt, 2020 ME 141, 243 A.3d 469
- State v. Pinkham, 586 A.2d 730 (Me. 1991)
- State v. Shellhammer, 540 A.2d 780 (Me. 1988)
- State v. Hassan, 2013 ME 98, 82 A.3d 86
- Aranovitch v. Versel, 2015 ME 146, 127 A.3d 542

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