

**Filed 6/29/06 by Clerk of Supreme Court**

**IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2006 ND 128

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City of Fargo,

Plaintiff and Appellee

v.

Danial Ray Curtis,

Defendant and Appellant

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No. 20060027

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Appeal from the District Court of Cass County, East Central Judicial District,  
the Honorable Wade L. Webb, Judge.

AFFIRMED.

Per Curiam.

Tristan J. Van de Streek, City Prosecutor, P.O. Box 2, Fargo, N.D.  
58107-0002, for plaintiff and appellee; submitted on brief.

Leo Patrick O'Day, Jr., 1024 Third Avenue South, P.O. Box 1727, Fargo, N.D.  
58107-1727, and Jesse N. Lange, 1024 Third Avenue South, P.O. Box 1817, Fargo,  
N.D. 58107-1817, for defendant and appellant; submitted on brief.

**City of Fargo v. Curtis**

**No. 20060027**

**Per Curiam.**

[¶1] Danial Curtis appeals his criminal judgments entered after a jury found him guilty of driving while under the influence of alcohol (“DUI”), driving under suspension or revocation, and operating a motor vehicle without liability insurance. He argues the City of Fargo did not present sufficient evidence to convict him of DUI and operating a motor vehicle without liability insurance. Concluding there was sufficient evidence to support the convictions, we summarily affirm under N.D.R.App.P. 35.1(a)(3).

[¶2] Gerald W. VandeWalle, C.J.  
Dale V. Sandstrom  
Daniel J. Crothers  
Mary Muehlen Maring  
Carol Ronning Kapsner