

**STATE OF MAINE  
SUPREME JUDICIAL COURT  
SITTING AS THE LAW COURT**

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**LAW COURT DOCKET NO. KNO-17-294**

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**EDWARD ARBOUR**

**Appellant**

**v.**

**DEPARTMENT OF CORRECTIONS, ET AL.**

**Appellees**

**ON APPEAL FROM KNOX COUNTY SUPERIOR COURT**

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**APPENDIX**

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**JANET T. MILLS  
Attorney General**

**JAMES E. FORTIN  
Assistant Attorney General**

**Christopher C. Taub  
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**Of Counsel**

**Office of the Attorney General  
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Date Filed 3-06-17

County Knox

Docket No. AP-17-008

Action: 80C

Edward Arbour  
Maine State Prison  
807 Cushing Road  
Warren, ME 04864

Maine Department of Corrections  
Joseph Fitzpatrick-Commissioner  
Randall Liberty-Warden  
Troy Ross-Associate Warden  
Harold Abbott-Captain

vs.

Plaintiff's Attorney

Defendant's Attorney  
James Fortin-AAG  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333-0006

Date of  
Entry

- 03/06/17 Summary Sheet, Petition for Judicial Review, Application to proceed without Payment of fees, Indigency Affidavit, Certificate & Statement of Account, filed By Petitioner 3-6-2017.
- 03/08/17 Order Granting Leave to Proceed In Forma Pauperis: Since the Plaintiff has no Funds in his account, the Plaintiff shall pay the filing fee when funds exist. The Plaintiff shall notify the Court no later than 4-1-17 whether he intends to incur the Costs of the filing fee and proceed. Justice Bruce Mallonee. Dated 3-7-2017. Copy mailed to Petitioner 3-8-2017.
- 03/28/17 Notice of intent to proceed and incur cost of filing fee, filed by Petitioner 3-27-17.
- 03/28/17 Copy of Maine Rules of Civil Procedures, Acknowledgment of receipt of Summons and complaint (x2) mailed to Petitioner 3-28-2017.
- 03/30/17 Order granting leave to proceed in forma pauperis, notice of intent to proceed And incur cost of filing fee, emailed to Vonda Faxon @ MSP.

03/30/17 Acceptance of service dated 3-29-2017 by James Fortin-AAG, Certified Record Of Diane Vigue with attached copy of DOC policy 20.1 - Prisoner Discipline, filed By James Fortin-AAG.

03/30/17 Notice and Briefing Schedule: The petitioner's brief is due 40 days after March 30, 2017, which is the date on which the state agency record was filed in this Court. The respondent's brief is due 30 days after service of the brief by the Petitioner. The Petitioner has 14 days after service of the brief by respondent to File a reply brief Dated 3-30-2017. Copy mailed to Petitioner, James Fortin-AAG 3-31-2017.

05/12/17 Petitioner's Brief, filed by Petitioner 5-10-2017.

06/05/17 Brief of the Respondent, filed by James Fortin-AAG 6-5-2017.

06/16/17 Petitioner's Rebuttal Brief, filed by Petitioner 6-15-2017.

06/20/17 Order Denying Appeal: Petitioner's Appeal is DENIED. Dated 6-19-2017. Justice Bruce Mallonee. Copy mailed to Petitioner, James Fortin-AAG 6-20-2017.

07/10/17 Notice of Appeal to the Law Court, Summary Sheet, Application to proceed Without payment of fees, Indigency affidavit, Certificate and Statement of prison Account, filed by Petitioner 7-10-2017.

07/10/17 Notice of Appeal, copy of order dated June 19, 2017 emailed to Law Court.

07/11/17 Docket Record emailed to Law Court.

07/13/17 Order Granting Leave to Proceed In Forma Pauperis: Since the plaintiff has no Funds in his account, the plaintiff shall pay the filing fee when funds exist. The Plaintiff shall notify the Court no later than 8-1-17, whether he intends to incur the Cost of the filing fee and proceed with this action. Should the Plaintiff fail to so Notify the Court, this matter shall be dismissed. Dated July 13, 2107. Justice Bruce Mallonee. Copy mailed to Petitioner 7-13-2017.

07/17/17 Notice of Docketing in the Law Court, File to be sent by July 31, 2017.

08/01/17 Clerk mailed file to Law Court.

STATE OF MAINE  
Knox, SS.

SUPERIOR COURT  
Docket No. AP-2017-008

Edward Arbour, )  
Petitioner, )  
v. )  
Maine Department of )  
Corrections, )  
Respondent. )

Order Denying Appeal

Petitioner appeals from a decision of the Department imposing discipline for certain conduct of which Petitioner was accused. Petitioner was afforded a hearing, at which the disciplinary hearing officer found he had committed the conduct.

Petitioner raises factual arguments about the decision, many of them focused on his assignment to a bottom bunk when the complaining officer stated the misconduct came from an inmate in an upper bunk. This argument was presented and rejected by the hearing officer. Although another factfinder might have viewed the evidence differently, this court cannot second guess the factual findings of the officer assigned to hear the case; that officer saw and heard from the witnesses and was in a superior position to assess who was telling the truth (including an assessment of whether Petitioner, notwithstanding his assignment to a bottom bunk, was actually occupying a top bunk at the time of the incident). Because there was competent evidence in the record to support the officer's conclusion, this court cannot disturb it.

Petitioner also raises several arguments related to the procedure Respondent employed in investigating and prosecuting this disciplinary action. The court does not reach the merits of these arguments because it is apparent on the record that any procedural irregularity (if indeed there was one) did not affect the outcome of the proceedings.

For the foregoing reasons, Petitioner's appeal is DENIED.

The Clerk may incorporate this Order upon the docket by reference.

Dated: June 19, 2017

  
The Hon. Bruce C. Mallonee  
Justice, Maine Superior Court

STATE OF MAINE  
Knox County, SS

SUPERIOR COURT  
CIVIL ACTION

Docket No: \_\_\_\_\_

EDWARD ARBOUR	*
Petitioner	*
V.	*
Maine Department of Corrections	*
Respondents	*

Petition for Judicial Review  
of final Agency Action

#### Jurisdiction

1.) This action is brought pursuant to Me. R. Civ. P. 80 (c) as authorized by 5 M.R.S.A. Sub Section 11001 et. seq.

#### Petitioner

2.) Petitioner, Edward Arbour, pro se, is a prisoner of the State of Maine and Incarcerated at the Maine State Prison, located in Warren, County of Knox.

#### Respondent and Parties

3.) The Maine Department of Corrections is the respondent Agency, as they are responsible for the care, treatment and housing of the Petitioner, through employees Commissioner Joseph Fitzpatrick, Warden Randall Liberty, Associate Warden Troy Ross, Captain Harold Abbott.

#### Nature of Action to be Reviewed

4.) Petitioner seeks Judicial review of the following agency actions:

A) MSP-2016-2106, a disciplinary case No. and all proceedings

related to MSP disciplinary case No: MSP-2016-2106.

B) The D.O.C. an agency of the State of Maine, creates the rules, including but not limited to regulations, standards, codes, statements of policy or other agency statements of general applicability.

These Rules, regulations, standards codes, statements of policy, or other agency statements of general applicability are intended to be judicially enforceable and implements, interprets or makes specific the law administered by the agency or describes the procedures or practices of the agency (Department of Corrections).

The specific rule, regulation, standard code statement of policy or other agency statement of general applicability petitioner invokes and seeks judicial review of this is a Guilty finding of a disciplinary infraction from policy title: Prisoner Discipline, Policy number 20.1 Chapter 20 Prisoner discipline.

### Manner of Aggrievement

The D.O.C. has implemented procedures and or practices dealing with prisoner disciplinary proceedings. These procedures and or practices have caused petitioner to suffer particularized injury in that respondents are responsible for wrongfully finding petitioner guilty of a disciplinary violation by not adhering to the procedures outlined in the D.O.C. Prisoner Discipline 20.1, specifically procedures; (B); formal Resolution Note 9. "The investigator shall initiate an investigation within 24 hrs.;" (C) Disciplinary Hearing Note 9. "The disciplinary hearing officer may permit the prisoner or his counsel substitute, to present or examine exhibits.;" Note 13. "The finding of guilt or innocence must rest solely upon evidence produced

at the hearing"; Note 8. Permission to call or question a witness ...  
Whenever permission to call or question a witness is withheld or restricted,  
the disciplinary hearing officer shall document the reasons in the  
written summary".

The disciplinary hearing officer never formally read the charge against  
the petitioner at the disciplinary hearing as required by disciplinary policy  
20.1 procedure(c) disciplinary hearing Note 6.

The disciplinary Report was insufficient to notify the petitioner as  
to his involvement in the incident, as required by due process.

The disciplinary hearing officer found the petitioner guilty without  
sufficient evidence.

The disciplinary hearing officer failed to make and or keep an  
accurate record of the hearing, should record or transcribe.

The disciplinary hearing appeal designee failed to ensure the  
report and finds adhered to DOC. policy.

Both the disciplinary hearing officer and the appeal  
review designee failed to document on the record that the  
petitioner was designated or housed on the lower bunk as the  
petitioner requested and is documented on the disciplinary Reports  
housing location. MSP/close/EPod/E103/B ('B' is bottom bunk).

All manners of grievance pertain to the Maine  
Department of Corrections own policy statements and Maine/  
federal Constitutions Right to Due Process. The petition seeks review  
of and enforcement of these rights and policies pertaining to  
MSP, their disciplinary hearings, finding and appeals,



related to Maine State Prisons Disciplinary Case No: MSP-2016-2106 against Edward Arbour.

### Facts

A) The Petitioner has severe medical conditions that result in seizures and because of that he has always been bottom bunk restricted while at MSP in Warren Maine.

B) ON 12/16/16 the Petitioner was assigned to Epod cell 103 bottom bunk in the Cbse unit at Maine State Prison.

C) At aprox. 10-1030 pm on 12/16/16 Correctional officer Mayer was delivering mail to the Petitioner's housing location.

D) During delivery of the Petitioner's mail, officer Mayer was attempting to wake the petitioner by knocking on the window. At that time the inmate on the top bunk looked at officer Mayer and made "aggressive statements" and went to the cell door in an "aggressive manner." Due to this incident officer Mayer wrote and filed a formal disciplinary Report against the petitioner. (Disciplinary Case No: MSP-2016-2106).

E) A disciplinary hearing was initially set for 1/3/17 but was continued until 1/6/17 to be in front of Capt. Abbott. The hearing was held on 1/6/17.

F.) MSP-2016-2106 was wrote at 2200 hrs on the 16th of December 2016.

G) MSP-2016-2106 was not Reviewed for Approval until 12/21/16

H) MSP-2016-2106 was not investigated until 12/23/16

I) At the disciplinary hearing Capt. Abbott (Disciplinary hearing officer) told me to sit down and asked if I had any comments. Those comments are documented in the Report, but are not verbatim and were

Vague. I notified Capt. Abbott that I had a medical Bottom bunk restriction and thus was not guilty, because the report clearly shows my housing location was MSP/Close/EPd/E103/B, (should be noted the "B" at the end means Bottom Bunk) and the officer is clear the inmate on the top bunk was the inmate he was "conversing with".

J) Capt. Abbott did agree that my assigned bunk was lower. He then called, Scott Gagnon the inmate who was assigned to the upper bunk and named as my witness. Mr. Gagnon admitted that I was bottom bunk restricted and that I did not say or do as accused. I asked Capt. Abbott if I could ask a question or if he would ask a couple for me, his reply was No you're not allowed. I said I was by policy 20.1 and was told No you better shut up.

K) I ask where officer Mayer was or if Abbott would call him and was told No, he's is off and I find you guilty.

L) I received my paper work and my appeal paper work. On 1/19/17 I placed my appeal and a signed notarised affidavit from Scott Gagnon to be delivered to ~~D.~~ W. Ross.

M) ON 2/1/17 I was moved to disciplinary segregation to start my "D time", at the same time I was given my denial of appeal. dated and signed by A.W. Ross on 1/30/17.

N) ON 2/23/17 I was removed from Disciplinary segregation and placed in Close Unit General Population.

### Grounds for Relief

A) Violation of policy 20.1 procedure B Note 3; U.S. Const. Amend. XIV  
The action of the agency not completing the disciplinary Report and providing it to a shift supervisor within 72 hrs as perscribed in paragraph's (1) and (3) violated the agency's policy, a state created liberty interest protected by the XIV Amend. of the U.S. Const.

B.) Violation of policy 20.1 procedure B Note 9; U.S. Const. Amend. XIV

The actions of the agency not giving the disciplinary report to the investigator within 24 hrs, or initiating the investigation within 24 hrs of either the disciplinary write up/Report or the incident, as proscribed in note/paragraph 9 violated the agency's policy, a state created liberty protected by the XIV Amend. of the U.S. Const.

C.) Violation of policy 20.1 procedure C Note 6; U.S. Const. Amend. XIV

The actions of the agency not Reading and explaining the disciplinary report and it's charges, as proscribed in note/paragraph 6 violated the agency's policy, a state created liberty protected by XIV Amend of the U.S. Const.

D) Violation of policy 20.1 procedure C Notes 7+8; U.S. Const Amend XIV

The actions of the agency not allowing the petitioner to call the Reports Author as a witness, or allow the counsel sub to question the witnesses requested as proscribed in notes 7+8 violated the agency's policy, a state created liberty protected by the XIV Amend of the U.S. Const.

E) Violation of policy 20.1 procedure C Notes 9+10; U.S. Const. Amend XIV

The actions of the agency not allowing the petitioner or counsel sub to enter/submit exhibits, or Review exhibits, without providing a written summary as to why not as proscribed in note/paragraph 9+10 violated the agency's policy, a state created liberty protected by XIV Amend. of the U.S. Const.

F) Violation of policy 20.1 procedure C Notes 13+15; U.S. Const. Amend XIV

The actions of the agency failing to rest it's finding of guilt upon the evidence, failure to prepare an accurate summary of it's findings, evidence presented, and a complete statement of Reasons + evidence relied on for it's decision or complete (Attachment E) Hearing Summary as proscribed in notes 13+15 violated the agency's policy, a state created liberty protected by XIV Amend of the U.S. Const.

G) Violation of policy 20.1 procedure C note 30; US Const Amend XIV  
The actions of the agency failing to Ensure conformity with the agency's policy Violates the Agency's policy, a state created liberty Interest protected by the Due process of the XIV Amend of the U.S Const.

H) M.R.S.A. 34 A § 3032, et Seq Violations listed in A-G including but not limited to, denial to present & examine evidence, denial to call or question witnesses, failure to provide an accurate Report & summary of the evidence and failure to follow procedures.

I) Violations of the Due process clause of the U.S. Constitution's XIV Amend. The actions of the agency listed in A-H as well as Finding the petitioner guilty as set forth in disciplinary policy 20.1 and U.S Constitution's XIV Amend. paragraph 8 constitutes a violation of the Due process Clause sufficient evidence of the XIV Amend of the U.S Const.

J) Arbitrary or capricious or abuse of discretion violations. The agency Through it's disciplinary officers, Capt. Abbott & D.W. ROSS were Arbitrary, capricious and abused discretion by not following procedures, telling the petitioner to shut up, denying evidence to be submitted or reviewed, denying witness to be called, denying the petitioner the right to question witnesses finding / upholding guilt with insufficient evidence and failure to keep an accurate Record of the hearing / Recording the hearing; denying anyone the ability to Review an accurate Record.

Prayer for Relief

Wherefore petitioner prays this Honorable Court Grants this petition and enter relief pursuant to 5 M.R.S.A § 11005 (4)(B)(C) and or any other relief the Court deems just and fair

Dated 2-25-17

Edward Arthur  
Edward Arthur

MAINE DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT  
Maine State Prison

Disciplinary Case No: MSP-2016-2106

Incident Report No: 2016-19071

DISCIPLINARY INCIDENT REPORT

Arbour, Edward Carl	5599	12/16/2016	22:00:00
Name of Prisoner	MDOC#	Incident Date	Incident Time

Echo	MSP/Close/E Pod/E103/B
Place of Incident	Housing Unit

Violation(s) (Class and Name)

2 - (B) Disorderly Behavior

1 - (B) Harassment, General

Description of Incident (Including names of any known staff witnesses):

Maine State Prison Incident REPORT TO: Sergeant Millard  
and time I OFC. Mayer was passing out the mail in close echo pod when I arrived at  
Inmate Arbour, E door (103). Once at the door I knocked a couple of times on the window  
to gain the attention of Inmate Arbour making him aware that he had mail. The inmate  
turned over from the top bunk looked at this officer and said "Doing fucking mail at 10:30 at  
night, this is fucking bullshit." I asked the inmate if he wanted his mail at this time. He  
came up to the door in an aggressive manner yelling at me "Don't fucking threaten me with  
my mail." I told this inmate I was asking him a question. Due to his manner I didn't know if  
he wanted to receive his mail or not. At this point Arbour was going to receive a formal  
write up any way. I gave the inmate his mail then told him to have a good night. He looked  
at me and replied with "Yeah, rub it on your fucking chest." This inmate will be written up  
for Harassment and Disorderly behavior.

There are ☐ Additional Pages Attached to this Report

12/16/2016 at 22:00:00

William Mayer

Date & Time

Name

PHYSICAL EVIDENCE (IF APPLICABLE)

Description and Disposition of Evidence

Date

Name & Title

DISCIPLINARY REPORT  
Page 1 of 4

DOC FORM

A - 20.1 - B - B - 2/28/16R



Disciplinary Case No: MSP-2016-2106  
Prisoner Name: Arbour, Edward Carl

MDOC#: 5599

**REVIEW AND APPROVAL OF SHIFT SUPERVISOR, UNIT MANAGER, OR OTHER  
DESIGNATED SECURITY SUPERVISOR**

Report clearly sets forth incident and charge and:

- ☐ Formal resolution without attempting informal resolution necessary for proper discipline and control  
☐ Prisoner refused proposed informal resolution  
☐ Prisoner failed to abide by agreed to informal resolution

Forwarded report for investigation to security staff.

12/21/2016 at 19:23:00

Anthony A Petrino

Date & Time

Name

**INVESTIGATION**

Investigation Initiated by: Off. Touchette

Date & Time: 12-23-16 @ 1145

Prisoner's Statement (including names of any known witnesses)

No statement

[Signature]  
Prisoner's Signature

12-23-16  
Date

Forwarded report (including investigation) to unit clerk or other staff designated to process disciplinary paper work.

[Signature]  
Investigating Officer's Signatures

12-23-16  
Date

Off. Touchette (co-1)  
Name & Title

Disciplinary Case No: MSP-2016-2106  
Prisoner Name: Arbour, Edward Carl

MDOC#: 6599

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**DISMISSAL (IF APPLICABLE)**

This report is dismissed because:

- ☐ Facts as described in report do not constitute a violation.
- ☐ Time frame for completing and submitting report not adhered to.
- ☐ Prisoner's statutory or constitutional rights appear to have been violated.  
(Requires consultation with the Attorney General's Office)

Explanation:

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Forwarded to Chief Administrative Officer, or designee.

Date

Name & Title (Disciplinary Hearing Officer)



E103

MAINE DEPARTMENT OF CORRECTIONS  
LETTER OF NOTIFICATION OF DISCIPLINARY HEARING

Disciplinary Case No. MSP-2016-2106

Prisoner Name: Arbour, Edward Carl

MDOC#: 5599

ON 12/16/2016 YOU WERE PLACED ON REPORT FOR THE FOLLOWING  
DISCIPLINARY VIOLATION(S) (CLASS AND NAME):

2 - (B) Disorderly Behavior

1 - (B) Harassment, General

YOU ARE SCHEDULED FOR A DISCIPLINARY HEARING IN FRONT OF Harold Abbott Jr. ON 01/03/2017 AT 08:00:00.

YOU MAY CHOOSE BETWEEN THE FOLLOWING OPTIONS THAT I WILL READ TO  
YOU AT THIS TIME.

OPTION #1 ☐

The violation with which I am being charged and the possible penalties for the charges have been explained to me. I wish to waive my right to a formal hearing on these charges. I understand that the charges will be reviewed with me by the disciplinary hearing officer, but that no evidence will be presented at the review other than the documents given to me with this notice. I wish to plead (guilty) or (no contest). I will accept the finding as to guilt of the charges. I acknowledge that I waive my right to appeal that finding but retain my right to appeal the disposition.

I (wish) (do not wish) to be represented at the review by \_\_\_\_\_, counsel substitute. I understand that I must provide the name of my counsel substitute to the disciplinary hearing officer within the next 24 hours. I understand it is my responsibility to ensure my counsel substitute is notified as to the time and date of the review.

Signature of Prisoner

Date

Stacey Cuffee  
Signature of Staff

12/29/16  
Date

OPTION #2 ☒

The violation with which I am being charged and the possible penalties for the charges have been explained to me. I wish to appear before a formal disciplinary hearing. I (do) (do not) waive my right to a 24 hour notice.

I understand that I must provide the names of my witness(es) at this time. I (wish) (do not wish) to call

to testify as witness(es) at the hearing.

I (wish) (do not wish) to be represented at the hearing by \_\_\_\_\_, counsel substitute. I understand that I must provide the name of my counsel substitute to the disciplinary hearing officer within the next 24 hours. I understand that it is my responsibility to ensure my counsel substitute is notified as to the time and date of the hearing.

Edward Arbour  
Signature of Prisoner

12-29-16  
Date

13:13  
Time

S. Craftford A II  
Name & Title (Print)

C

**MAINE DEPARTMENT OF CORRECTIONS  
DISCIPLINARY HEARING SUMMARY**

Disciplinary Case No. MSP-2016-2106

Prisoner Name: Arbour, Edward Carl

MDOC#: 5599

Stated below are the summary and findings of the disciplinary hearing officer.

Date of Hearing: 01/06/2017

Counsel Substitute Representation: Yes: ☒ No: ☐ Meggison

**SUMMARY OF HEARING**

The disciplinary report and charge(s) were read and explained to the prisoner. The prisoner acknowledged his/her understanding of the report and charges.

The prisoner plead:

2 - Disorderly Behavior (B) - Not Guilty

1 - Harassment, General (B) - Not Guilty

The prisoner offered the following explanation:

Prisoner pled not guilty he stated that he didn't make any of the comments that are in the report and in the report it indicates that he lives on the bottom bunk and not the top like indicated in the report. Prisoner didn't raise any issues at the hearing for appeal.

**NAME OF ANY WITNESS AND SUMMARY OF TESTIMONY AND ANY EXHIBITS PRESENTED**

Prison S. G. stated that he and prisoner Arbour had made some joke to the officer about the mail being delivered late and stated that prisoner Arbour didn't make any of the comments that are in the report.

**REASON(S) FOR WITHHOLDING OR RESTRICTING TESTIMONY OR EXHIBITS OR FOR FAILURE OF WITNESS TO TESTIFY**

**FINDINGS**

Prisoner was found:

1 - Harassment, General (B) - Found Guilty (After Not Guilty Plea)

**REASON(S) AND EVIDENCE RELIED ON FOR DECISION:**

GUILTY: The prisoner is guilty based on the officers report. In the report the officer is very clear about what was said. I believe that the prisoners reviewed the report so they could get there stories start because they referenced the report.

Charge(s) of

were dismissed  
(See Attachment B)

Disciplinary Case #: MSP-2016-2106

Prisoner Name: Arbour, Edward Carl

MDOC#: 5599

If a prisoner who has been identified as mentally ill or developmentally disabled is found guilty of any charge, document below consultation with mental health staff prior to determining disposition.

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### RECOMMENDED DISPOSITION(S)

Disciplinary Restriction: 20.00 Days Type: Cons DisplD: 1

Disciplinary Case #: MSP-2016-2106

Prisoner Name: Arbour, Edward Carl

MDOC#: 5599

### NOTIFICATION OF RIGHT TO APPEAL

Prisoner provided copy of summary and informed of right to appeal.

\_\_\_\_\_  
Signature of Disciplinary Hearing Officer      01/06/2017 at 09:20:00      Harold D Abbott Jr  
Date      Name

Prisoner's action: Waived right [ ]

Did not waive right [ X ]

\_\_\_\_\_  
Signature of Prisoner      Date

If prisoner did not waive right to appeal, prisoner given an appeal form (Attachment F).

K. Edwards  
Signature of Prisoner      1/6/2017 09:30  
Date


Harold D Abbott Jr  
Signature of Disciplinary Hearing Officer      01/06/2017 at 09:20:00      Harold D Abbott Jr  
Date      Name

CERTIFICATE OF SERVICE

I, James E. Fortin, Assistant Attorney General for the State of Maine, do hereby certify that I have served one copy of this appendix by depositing it in the U.S. mail, postage prepaid, addressed as follows:

Edward Arbour  
Maine State Prison  
807 Cushing Road  
Warren, Maine 04864

Dated: November 21, 2017

  
\_\_\_\_\_  
James E. Fortin  
Maine Bar No. 2874  
Assistant Attorney General  
Office of Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
(207) 626-8582