

STATE OF MAINE
HANCOCK, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: ELLSWORTH
DOCKET NO. CR-26-37

STATE OF MAINE

v.

**STATE'S EX PARTE REQUEST FOR
IMPOUNDMENT AND ORDER**

ELIOT R CUTLER

NOW COMES, the Attorney for the State, ex parte, and requests that the Court impound attachment #'s 4 – 30, inclusive, appended to the State's Affidavit in Support of Request for Arrest Warrant of even date herewith and order such materials be held under seal in this matter until further order of this court or another court having jurisdiction of this matter for the following reasons:

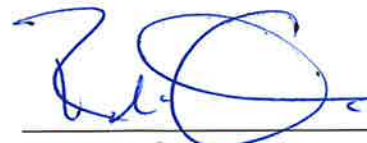
1. The screen shot materials contained in Attachment #'s 4 – 30 depict graphic, nude and/or sexually explicit images or suggestive sexual acts of females and males, particularly when viewed in context with descriptive language depicted with the images.
2. The State has no information as to whether these images were published with the permission or knowledge of the subjects depicted in these video screen shots, and further, these individuals should not be subjected to public exposure, humiliation, shame, invasion of privacy, ridicule and/or potential embarrassment that could result if the materials are open to public view.
3. The State also has no credible information regarding the age of some of the persons depicted in the screen shots and therefore prefers to err on the side of caution to protect the identity of the subjects in the event any of them are minors. At least one of the images depict a relatively young female with reference to the word "girl."
4. The images were included with the Affidavit for the Court's benefit in evaluating the information recited in the Affidavit. Public release of the images would serve no particular public benefit insofar as the contents of the images are fairly described in said Affidavit.

5. To the extent it is applicable here, Title 30-A M.R.S. § 288 indicates that the “Legislature finds that publicity given to the identity of minor victims of sexual offenses causes intense shame and humiliation for which abused children are particularly ill-prepared and may cause severe and permanent emotional harm to the victim of such an offense.” This section further states that “district attorneys, their assistants and employees and other law enforcement officials shall refrain from any unnecessary pretrial public disclosure of information that may identify a minor victim of an offense under Title 17-A, chapter 11 or 12 or Title 17-A, section 556.”

6. ELIOT R CUTLER is charged with the offenses of violation of conditions of release while on bail for an alleged probation violation arising out of his conviction for offenses in Title 17-A, chapter 12, and the State contends that impounding the requested documents would be in line with the intent of the Legislature and fair to any potential minor victim depicted in the screenshots. Impounding these materials will likewise reasonably protect the adult subjects depicted in the screen shots from public humiliation, particularly where it is unknown whether these individuals have knowledge of or consented to appearing in the original video materials.

7. This Motion is in no way intended to deprive Defendant or Defendant’s counsel of the opportunity to review the materials as part of the discovery process but is intended to prevent further dissemination of said materials beyond that absolutely necessary for the prosecution of or preparation of a defense in this matter in Court.

Dated: January 12, 2026,



Robert C Granger
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