

STATE OF MAINE

June 20, 2025

YORK COUNTY SUPERIOR COURT

YORK

STATE OF MAINE,

Plaintiff,

v.

Lucas Lanigan,

Defendant.

Docket No.: YRKCD-CR-2024-04263

MOTION TO DISMISS CHARGES

NOW COMES the Defendant, Lucas Lanigan, by and through pro se, and respectfully moves this Honorable Court to dismiss the charge of Domestic Violence Aggravated Assault pursuant to Rule 12(b) of the Maine Rules of Criminal Procedure and the Defendant's constitutional right to self-defense under 17-A M.R.S. § 108.

I. FACTUAL BACKGROUND

1. The Defendant, Lucas Lanigan (LL), is employed at HRB Holdings DBA SHE Luxe in 254 River St Springvale ME.

2. On October 25th 2024, the alleged victim, Catalina Lanigan (CL), unlawfully entered the premises, constituting trespass under 17-A M.R.S. § 402.

3. CL threatened and proceeded to physically assault SHE Luxe employee, Darlene Albrecht (DA), with sharp weapons and heavy objects capable of causing extreme bodily injury. This is confirmed in EX(1) 4 of 4 BCF interview with (DA) at place of incident on 10-25-24. On the same video is displayed the sharp and heavy weapons used by (CL) to attack (DA). (CL) confirms in her statements on video camera on EX(1) video 1 of 4 Time 15:49.11 propelling these weapons directly at (DA).

- a.) 10/28/25 JR interviews witness (DA). EX(1) video 4 of 4 you can observe the heavy object and sharp weapons (CL) used to assault (DA) and (LL). Confirmed in EX(2) DAWS.
- b.) 10/26/25 with Officer Gosling EX(3) WSCL and EX(1) 1 of 4 time 15:49.11 admits she propelled directly at (DA). Also EX(3) CLWS states using sharp objects to self inflict serious injury and/or death. Visible with cuts to wrist in EX:(1) 3 of 4 17:58

4. To protect the employee (DA) from injury and threat, (LL) intervened in lawful self-defense under 17-A M.R.S. § 108(1), (2). After repeatedly requesting (CL) leave the premise, LL warned (CL) he would be forced to call law enforcement for unlawful trespass and assault. (LL) was able to get (CL) outside a couple times asking her to leave premises. This is evident in EX: (4) investigation of facilities cameras. Detective Rae clearly states that there was no physical altercation outside and the victim re-enters (LL) place of business freely and without coercion. Severely contradicting the statements in (JR) EX(5) Police Affidavit. This can also be confirmed by (CL) statements in EX(1) through its entirety and EX(3) CLWS negating lines of EX(5) leading to securing a warrant for arrest upon probable cause.

5. (JR) mentions temporary arrest warrant within a minute and thirteen seconds EX(1) 15:46.13 Defendant will be charged with Domestic Violence Aggravated Assault (17-A M.R.S. § 208-B), despite clear evidence upon further investigation that the Defendant's actions were lawful, proactive, and justified.

6. (CL) admitted to Law Enforcement (JR) multiple times on EX(1) 1 of 4 15:49.11 15:50.02 /17:58 and EX(3) CLWS to the fact she was the aggressor and initiated the confrontation in a way that could result in extreme bodily harm.

7. (CL) attested that in her statements she attempted to hurt herself with a sharp paddle bit and other sharp objects compelling the (LL) to intervene and protect her from doing so. Defendant applied technics learned at WaBan now Waypoint to safely control (CL) from further harm and/or death as EX(6) Detective Rea Interview

8. Victim also admits and is on storage video obtained by Law Enforcement that she was escorted outside multiple times and asked to leave in her car. Defendant offered to bring her belongings she dropped inside to the warehouse. Contradicting the statements made by Law Enforcement that she finally escaped and was able to go home.

9. Victim never at any time told Law Enforcement that she was Strangled or Choked for any significant length of time. Law Enforcement asked victim who was under the influence with a BAC .171 and duly noted by Investigating officer he was going to wait for a statement due to inebriation. Law Enforcement proceeded to interview the Victim who was transported to hospital for alcohol induced vomiting and sickness only being awake for 15 minutes at most. In video 3 of 4 the Investigating officer clearly asks Victim how long Defendant allegedly choked her. She responds not long at all. Law Enforcement suggests 30 seconds to Victim. Victim responds no. Law Enforcement with no further follow up writes down 20 seconds. Arrest affidavit for Defendant states Victim says Defendant strangled her for 20 seconds. Misleading the judge issuing arrest warrant.

10. All symptoms used for the affidavit to justify probable cause occurred several hours later and were the result of violent vomiting caused by a medication taken by Victim to prevent the urge to drink alcohol. The trip to the hospital was unrelated to the original incident and therefore the ED was mislead on the reason for her going to the hospital. Victim refused going to the hospital for alleged strangulation multiple times previously.

II. LEGAL ARGUMENT

6. Under 17-A M.R.S. § 108(1), (2), a person is justified in using force if they reasonably believe it is necessary to:

- a. Defend themselves or another person from the imminent use of unlawful, deadly force; or
- b. Prevent or terminate criminal trespass or an unlawful attack against a third party.

7. The evidence in this case establishes that:

- a. The alleged victim was trespassing on private property.
 - b. The victim posed an immediate threat by attempting to assault an employee with dangerous objects.
 - c. The information used to acquire a warrant for the defendant was based on misleading information creating a narrative for probable cause. Law Enforcement had determined within minutes that defendant was guilty. Furthermore (JR) Law Enforcement made reference to Defendants minor child in a prejudicial manner as shown in EX.1 Video 1 of 4 @16:10.56. (JR) with knowledge and intent falsified the Odara Report clear in Video 3 of 4 @18:01 concluding that 20 seconds was the amount of time (CL) was allegedly strangled by (LL). Officer Riddle based on training records obtained lacks the sufficient training required to be applying the Odara system in an investigation. EX (7)
 - d. The Defendant reasonably acted to protect the employee and maintain safety in the workplace. Defendant also acted in the best interest of the Victim preventing bodily harm or death to himself.
8. Because the Defendant's actions were lawful self-defense, the charge of Domestic Violence Aggravated Assault cannot stand as a matter of law.
9. Dismissing this case is in the interest of justice to prevent the wrongful prosecution of a person who lawfully acted to protect others.

III. REQUEST FOR RELIEF

WHEREFORE, Defendant respectfully requests that this Court:

- A. Dismiss the charge of Domestic Violence Aggravated Assault with prejudice;

B. Grant any other relief the Court deems just and proper.

DATED: March 20th 2025

Respectfully submitted,

Lucas Lanigan

Defendant Pro se

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Exhibits : 1. Officer Jeremy Riddle Body Cam Footage Video 1-4

2. Witness Statements DAWS

3. Witness Statements CLWS

4. EMS Records proving physical attributes of strangulation were not present during initial visit.

5. Arrest Affidavit

6. Detective Rea Interviews and Investigation Docs

7. Odara Recommended Training Requirements