

AARON M. FREY
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

125 PRESUMPSHOT ST., SUITE 26
PORTLAND, MAINE 04103
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

March 27, 2025

BY HAND-DELIVERY

Tamara Rueda, Clerk
Kennebec County Superior Court
1 Court Street, Suite 101
Augusta, ME 04330

Re: *Andrew Robbins, et al. v. State of Maine, et al.*
Docket No. KENSC-CV-2022-54

Dear Ms. Rueda:

Please find enclosed for filing in the above-referenced matter, Party-In-Interest State of Maine's Notice of Appeal of the "Order After Phase One Trial (Countis I, III, and V)," entered by the Court on March 7, 2025, and accompanying Transcript Order Form.

Sincerely,

A handwritten signature in cursive script, reading "Paul E. Suitter".

Paul E. Suitter
Assistant Attorney General

Enclosure

cc: Zachary L. Heiden, Esq. (via e-mail: zheiden@aclumaine.org)
Anahita Sotoohi, Esq. (via e-mail: asotoohi@aclumaine.org)
Matthew Warner, Esq. (via e-mail: mwarner@preti.com)
Alexandra Harriman, Esq. (via e-mail: aharriman@preti.com)
Jordan Bock, Esq. (via e-mail: jbock@goodwinlaw.com)
Kevin Martin, Esq. (via e-mail: kmartin@goodwinlaw.com)
Samantha Jandl, Esq. (via e-mail: sjandl@goodwinlaw.com)
Michael Lichtenstein, Esq. (via e-mail: mlichtenstein@wheelerlegal.com)
Erica Johanson, Esq. (via e-mail: ejohanson@jensenbaird.com)
Jon K. Hamer, Esq. (via e-mail: jhamer@rudmanwinchell.com)
Tyler Smith, Esq. (via e-mail: tsmith@lokllc.com)

AUGUSTA COURTS
MAR 27 '25 PM2:06

MAINE JUDICIAL BRANCH

Andrew Robbins, et al.


V.

State of Maine, et al.*"X" the court for filing:*☒ Superior Court ☐ District Court☐ Unified Criminal DocketCounty: KennebecLocation (Town): AugustaDocket No.: KENSC-CV-2022-054

NOTICE OF APPEAL

☒ CIVIL ☐ CRIMINAL

I, *(name of party appealing)*, State of Maine appeal from the judgment, order or ruling entered in this proceeding on *(date of order appealed from - mm/dd/yyyy)* 03/07/2025. Any party who wishes to be heard on this appeal must file an appearance.

☒ This is a civil appeal.☐ This case arises from the Maine Tort Claims Act requiring the clerk to send a copy of this Notice of Appeal to the Office of the Attorney General.☐ If this is a criminal appeal, check one of the following:☐ The defendant is presently confined at _____☐ The defendant is not in custody. The defendant's address is: _____**"X" THE APPLICABLE BOX:**☒ The Transcript Order form is attached.☐ No transcript will be ordered.☐ No electronic or other recording of the proceedings can be prepared for this civil case. Therefore, a statement in lieu of transcript will be prepared pursuant to M.R. App. P. 5(d).Date (mm/dd/yyyy): 03/27/2025

 Signature of Appellant or Appellant's Attorney

Address of Appellant or Attorney:
Office of the Maine Attorney General
6 State House Station
Augusta, ME 04333

Paul Suitter

Printed name of Appellant or Appellant's Attorney

If attorney, bar number: 5736

PLEASE NOTE: This Notice of Appeal must be filed in the court that issued the order appealed from. It will not be accepted or docketed unless (1) in a Civil case, it is accompanied by the required filing fee or a motion to waive the filing fee, and (2) if the appellant is represented, it contains the bar number of Appellant's attorney.

If this is an appeal from a civil case or a criminal case involving an adult defendant, this notice must be filed within 21 days of the entry of the judgment in the docket. If this is an appeal from a case involving the extradition of a fugitive to another state, this notice must be filed within 7 days of the entry of the judgment in the docket.

WARNING: Small Claims, Forcible Entry & Detainer and Juvenile matters have differing time limits for filing a Notice of Appeal. If this is an appeal from a Small Claims, Forcible Entry and Detainer or Juvenile matter, another form must be used which is available from the clerk.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

Andrew Robbins, et al. Plaintiff

V.

State of Maine, et al. Defendant

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal Docket

County: Kennebec

Location (Town): Augusta

Docket No.: KENSC-CV-2022-054

TRANSCRIPT AND AUDIO ORDER FORM

Plaintiff/State Attorney: Carol Garvan, et al. Defendant Attorney: Paul Sutter, et al.

Purpose of Transcript or Audio Request: ("X" one box)

1. Appeal – Appeals require paper transcripts unless otherwise ordered by the court. M.R. App. P. 5. :

☒ Law Court ☐ Superior Court ☐ UCD ☐ Sentence Review Panel ☐ Post-Conviction Review2. Reference – ☐ Use in another pending case ☐ Personal ReferenceIf for use in another pending case, is there a court imposed due date? ☐ Yes ☐ No

If yes, due date (mm/dd/yyyy): _____

Type of Request: ("X" one box):

1. ☒ Paper Transcript2. ☐ Audio Recording (MP3 Recording on CD)

Payment: ("X" one box)

1. ☐ Private Pay2. ☒ State Agency3. ☐ MCILS (Motion for Transcript at State Expense (CV-CR-166) required)4. ☐ Judicial Branch (Motion for Transcript at State Expense (CV-CR-166) required)

Please note: A clerk must verify that all of the necessary information is listed below. Under hearing type, please be specific if you want the entire hearing or just a specific portion of it.

Hearing Date(s) (mm/dd/yyyy)	Hearing Type	Courtroom	CD Start/End Times, Tape & Index Number or OCR Name
1. 01/22/2025	Trial	3	Note - There may be 2 separate Notices of Appeal filed that order the same sets of Trial transcripts for the Law Court. There is no need for two of the same set. Please split costs between the two sets of Appellants if possible. (PES)
2. 1//23/2025	Trial	3	
3. 1/24/2025	Trial	3	
4.			
5.			

Court Clerk Signature: _____

Date (mm/dd/yyyy): 03/27/2025

INCOMPLETE FORMS MAY BE RETURNED

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

Please write your contact information clearly in the section below. This information is used only to ensure delivery of transcript/audio recordings.

Name of person ordering transcript/recording: Paul Sutter

Firm or Agency and Bar Number (if applicable): Defendant & Party-in-Interest: State of Maine (Bar Number 5736)

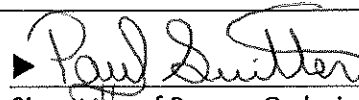
Mailing Address: Office of the Attorney General, 6 State House Station, Augusta, ME 04333

Phone Number: (207) 626-8800

Email Address: paul.sutter@maine.gov

PLEASE NOTE: Transcripts are generally sent via email. Audio recordings are generally sent via US Mail. Email delivery of audio can be arranged in some circumstances. If you do not have an email address, the Office of Transcript Operation will need your phone number and mailing address to assist you with receiving your materials.

Date (mm/dd/yyyy): 03/27/2025



Signature of Person Ordering Transcript/Recording

Office of Transcript Operations
Penobscot Judicial Center
78 Exchange Street, Suite 200, Bangor, ME 04401
207-991-6322
OTO@courts.maine.gov

INSTRUCTIONS FOR ORDERING TRANSCRIPTS

- A. You must include all of the information requested on the transcript order form or the form may be returned and your request will not be acted upon.
- B. The party who will be responsible for the bill must sign the order.
- C. If you are requesting that the transcript be provided at no cost or paid for by MCILS, you must complete and attach this form: **Motion for Transcript at State Expense (CV-CR-166)**.
- D. **File** the complete transcript and audio request form with the clerk of court.
- E. The **costs** for transcripts of any court proceedings are specified in Administrative Order JB-05-26.
- F. All transcripts for the Maine Judicial Branch are produced by AVTranz or by Official Court Reporters.
- G. If AVTranz is preparing your transcript, AVTranz will automatically send you an email that includes a cost estimate (based on the 14-day turnaround rate), deposit information, and payment options after they receive your request from the Office of Transcript Operations. If your transcript is being paid for **privately**, you can also opt for 1, 3, 7, 21 and 30-day turnaround. If your transcript is provided at **no cost** to you or is paid by **MCILS**, the standard turnaround is 30 days.
- H. Turnaround times begin once AVTranz receives a digital copy of the audio. When the transcript has been completed, you will receive it by email from AVTranz and, depending on your circumstances, you will either be charged the balance due or issued a refund.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

- I. If an Official Court Reporter is preparing your transcript, s/he will contact you by phone directly to discuss arrangements of payment and a timeframe for completion.
- J. Neither an Official Court Reporter nor the Office of Transcript Operations is responsible for delay in transcript production or for requesting additional time to obtain a transcript if you fail to comply with these procedures.

APPEAL ORDERS: If you are ordering a transcript as part of an appeal, you must file the order with the clerk of the trial court when you file the Notice of Appeal. Once it is completed, the transcript will be filed with the appropriate court and a copy of the transcript will be delivered to you.

REFERENCE ORDERS: If you are ordering a transcript for reference purposes, you must file the order with the clerk of the trial court. The clerk will then forward it to the Official Court Reporter and/or the Office of Transcript Operations.

INCOMPLETE FORMS MAY BE RETURNED

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

AARON M. FREY
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

125 PRESUMPCOT ST., SUITE 26
PORTLAND, MAINE 04103
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

March 27, 2025

BY HAND-DELIVERY

Tamara Rueda, Clerk
Kennebec County Superior Court
1 Court Street, Suite 101
Augusta, ME 04330

Re: Andrew Robbins, et al. v. State of Maine, et al.
Docket No. KENSC-CV-2022-54

Dear Ms. Rueda:

Pursuant to M. R. App. P. 2B, enclosed for filing in the above-referenced matter please find Defendants' Notice of Appeal. Please note that Defendants are exempt from the filing fee pursuant to Administrative Order JB-05-26 (A. 2-24).

Thank you for your assistance.

Sincerely,

Sean D. Magen's
Assistant Attorney General

SDM/tet

Enc.

cc: Zachary L. Heiden, Esq. (via e-mail: zheiden@aclumaine.org)
Anahita Sotoohi, Esq. (via e-mail: asotoohi@aclumaine.org)
Matthew Warner, Esq. (via e-mail: mwarner@preti.com)
Alexandra Harriman, Esq. (via e-mail: AHarriman@preti.com)
Jordan Bock, Esq. (via e-mail: jbock@goodwinlaw.com)
Kevin Martin, Esq. (via e-mail: kmartin@goodwinlaw.com)
Samantha Jandl, Esq. (via e-mail: SJandl@goodwinlaw.com)

AUGUSTA COURTS
MAR 27 '25 PM 2:05

Michael Lichtenstein, Esq. (MLichtenstein@wheelerlegal.com)

Erica Johanson, Esq. (ejohanson@jensenbaird.com)

John K. Hamer, Esq. (jhamer@rudmanwinchell.com)

Tyler Smith, Esq. (tsmith@lokllc.com)

MAINE JUDICIAL BRANCH

ANDREW ROBBINS, et al.

V.

MAINE COMMISSION ON INDIGENT LEGAL SERVICES, et al.

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal DocketCounty: KENNEBEC

Location (Town): _____

Docket No.: CV-22-54

NOTICE OF APPEAL

☒ CIVIL ☐ CRIMINAL

I, (name of party appealing), Executive Director & Commissioners of MCPDS appeal from the judgment, order or ruling entered in this proceeding on (date of order appealed from - mm/dd/yyyy) 03/07/2025. Any party who wishes to be heard on this appeal must file an appearance.

☒ This is a civil appeal.☐ This case arises from the Maine Tort Claims Act requiring the clerk to send a copy of this Notice of Appeal to the Office of the Attorney General.☐ If this is a criminal appeal, check one of the following:☐ The defendant is presently confined at _____☐ The defendant is not in custody. The defendant's address is: _____

"X" THE APPLICABLE BOX:

☒ The Transcript Order form is attached.☐ No transcript will be ordered.☐ No electronic or other recording of the proceedings can be prepared for this civil case. Therefore, a statement in lieu of transcript will be prepared pursuant to M.R. App. P. 5(d).Date (mm/dd/yyyy): 03/27/2025

Signature of Appellant or Appellant's Attorney

Sean D. Magenis, Esq.

Printed name of Appellant or Appellant's Attorney

If attorney, bar number: 9495

Address of Appellant or Attorney:
Office of the Maine Attorney General
6 State House Station
Augusta, ME 04333

PLEASE NOTE: This Notice of Appeal must be filed in the court that issued the order appealed from. It will not be accepted or docketed unless (1) in a Civil case, it is accompanied by the required filing fee or a motion to waive the filing fee, and (2) if the appellant is represented, it contains the bar number of Appellant's attorney.

If this is an appeal from a civil case or a criminal case involving an adult defendant, this notice must be filed within 21 days of the entry of the judgment in the docket. If this is an appeal from a case involving the extradition of a fugitive to another state, this notice must be filed within 7 days of the entry of the judgment in the docket.

WARNING: Small Claims, Forcible Entry & Detainer and Juvenile matters have differing time limits for filing a Notice of Appeal. If this is an appeal from a Small Claims, Forcible Entry and Detainer or Juvenile matter, another form must be used which is available from the clerk.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

Andrew Robbins, et al. Plaintiff

V.

State of Maine, et al. Defendant

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal Docket

County: Kennebec

Location (Town): Augusta

Docket No.: AUGSC-CV-2022-00054

TRANSCRIPT AND AUDIO ORDER FORM

Plaintiff/State Attorney: Zachary Heiden, Esq. Defendant Attorney Sean Magenis, AAG

Purpose of Transcript or Audio Request: ("X" one box)

1. Appeal – Appeals require paper transcripts unless otherwise ordered by the court. M.R. App. P. 5.

☒ Law Court ☐ Superior Court ☐ UCD ☐ Sentence Review Panel ☐ Post-Conviction Review2. Reference – ☐ Use in another pending case ☐ Personal ReferenceIf for use in another pending case, is there a court imposed due date? ☐ Yes ☐ No

If yes, due date (mm/dd/yyyy): _____

Type of Request: ("X" one box):

1. ☒ Paper Transcript2. ☐ Audio Recording (MP3 Recording on CD)

Payment: ("X" one box)

1. ☐ Private Pay2. ☒ State Agency3. ☐ MCILS (Motion for Transcript at State Expense (CV-CR-166) required)4. ☐ Judicial Branch (Motion for Transcript at State Expense (CV-CR-166) required)

Please note: A clerk must verify that all of the necessary information is listed below. Under hearing type, please be specific if you want the entire hearing or just a specific portion of it.

Hearing Date(s) (mm/dd/yyyy)	Hearing Type	Courtroom	CD Start/End Times, Tape & Index Number or OCR Name
1. 01/22/25-01/24/25	Trial	3	8:30 am-4:00 pm
2.			
3.			
4.			
5.			

Court Clerk Signature: _____

Tamar M. Ruelo

Date (mm/dd/yyyy): 03/27/2025

INCOMPLETE FORMS MAY BE RETURNED

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

Please write your contact information clearly in the section below. This information is used only to ensure delivery of transcript/audio recordings.

Name of person ordering transcript/recording: Sean Magenis, AAG

Firm or Agency and Bar Number (if applicable): Office of the Attorney General

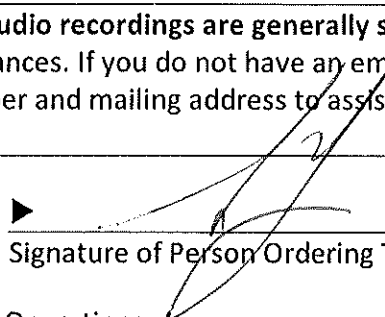
Mailing Address: 6 State House Station, Augusta, ME 04330

Phone Number: 207-626-8800

Email Address: Sean.D.Magenis@maine.gov

PLEASE NOTE: Transcripts are generally sent via email. Audio recordings are generally sent via US Mail. Email delivery of audio can be arranged in some circumstances. If you do not have an email address, the Office of Transcript Operation will need your phone number and mailing address to assist you with receiving your materials.

Date (mm/dd/yyyy): 03/27/2025


Signature of Person Ordering Transcript/Recording

Office of Transcript Operations
Penobscot Judicial Center
78 Exchange Street, Suite 200, Bangor, ME 04401
207-991-6322
OTO@courts.maine.gov

INSTRUCTIONS FOR ORDERING TRANSCRIPTS

- A. You must include all of the information requested on the transcript order form or the form may be returned and your request will not be acted upon.
- B. The party who will be responsible for the bill must sign the order.
- C. If you are requesting that the transcript be provided at no cost or paid for by MCILS, you must complete and attach this form: **Motion for Transcript at State Expense (CV-CR-166)**.
- D. File the complete transcript and audio request form with the clerk of court.
- E. The costs for transcripts of any court proceedings are specified in Administrative Order JB-05-26.
- F. All transcripts for the Maine Judicial Branch are produced by AVTranz or by Official Court Reporters.
- G. If AVTranz is preparing your transcript, AVTranz will automatically send you an email that includes a cost estimate (based on the 14-day turnaround rate), deposit information, and payment options after they receive your request from the Office of Transcript Operations. If your transcript is being paid for privately, you can also opt for 1, 3, 7, 21 and 30-day turnaround. If your transcript is provided at no cost to you or is paid by MCILS, the standard turnaround is 30 days.
- H. Turnaround times begin once AVTranz receives a digital copy of the audio. When the transcript has been completed, you will receive it by email from AVTranz and, depending on your circumstances, you will either be charged the balance due or issued a refund.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

MAINE JUDICIAL BRANCH

- I. If an Official Court Reporter is preparing your transcript, s/he will contact you by phone directly to discuss arrangements of payment and a timeframe for completion.
- J. Neither an Official Court Reporter nor the Office of Transcript Operations is responsible for delay in transcript production or for requesting additional time to obtain a transcript if you fail to comply with these procedures.

APPEAL ORDERS: If you are ordering a transcript as part of an appeal, you must file the order with the clerk of the trial court when you file the Notice of Appeal. Once it is completed, the transcript will be filed with the appropriate court and a copy of the transcript will be delivered to you.

REFERENCE ORDERS: If you are ordering a transcript for reference purposes, you must file the order with the clerk of the trial court. The clerk will then forward it to the Official Court Reporter and/or the Office of Transcript Operations.

INCOMPLETE FORMS MAY BE RETURNED

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.