

STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. CV-22-054

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

JAMES BILLINGS, in his official capacity as  
Executive Director of the Maine Commission  
on Public Defense Services; JOSHUA  
TARDY, in his official capacity as Chair of  
the Maine Commission on Public Defense  
Services; DONALD ALEXANDER,  
RANDALL BATES, MICHAEL CAREY,  
ROGER KATZ, KIMBERLY MONAGHAN,  
and DAVID SOUCY, in their official  
capacities as Commissioners of the Maine  
Commission on Public Defense Services; and  
the STATE OF MAINE,

Defendants.

**ORDER SCHEDULING INDIVIDUAL  
HABEAS CORPUS HEARINGS**

As of the latest “real time” spreadsheet, distributed on May 15, 2025, there are approximately 50 or more unrepresented indigent criminal defendants who are incarcerated in Maine jails on charges for which they are presumed to be innocent. The Court therefore issues the following order scheduling habeas corpus hearings. It is the Court’s intent to give the parties significant lead time to prepare for these hearings. This lead time will also provide MCPDS the ability to focus on providing representation for these individuals, which could eliminate the need for hearings, or at least reduce the number of hearings that must be scheduled.

The first day of individual hearings will take place in Penobscot County on June 24, 2025. The second day of hearings will take place in Androscoggin County on July 1, 2025. The start times and court locations for these hearings will be provided once the Court knows how many

individuals will be brought to Court on those days for hearings. That information will be disclosed in the individual writs of habeas corpus issued by the Court.

The Court further orders as follows: By June 9, 2025, counsel for the Plaintiffs shall, after consultation with opposing counsel, file with the Court a list of the incarcerated individuals they claim are eligible for individual habeas corpus hearings and relief being held in the custody of the Penobscot County Sheriff or the Androscoggin County Sheriff. The list shall include the following information for each individual: (1) where they are physically located; (2) the charges on which they are being held along with the docket number(s) of their case(s); and (3) whether Class Counsel will be representing them at the hearing. If Class Counsel cannot represent an individual, the Court would request that MCPDS provide counsel for that individual for the hearing. The Court will sign Orders appointing counsel for the individuals once it hears back from the parties about the status of representation for each of them. Whoever is assigned must be able to meet with each individual before the date set for the hearings so that they and their clients are prepared for the hearing. The Court will also work with the Clerks of Courts in the above locations so that assigned counsel has the opportunity to review the physical file for each individual.

Once this list is received by the Court, it will issue individual writs of habeas corpus along with transport writs, which will be sent to counsel of record for the Sheriffs of Penobscot and Androscoggin Counties and will confirm the dates and times for the hearings.

The Court will make itself available on short notice to counsel should any issue arise regarding representation for the individuals, or any other logistical or scheduling issues which may arise as a result of this order. The Court will do everything possible to accommodate the concerns of the Sheriffs as it understands that they regularly face scheduling and staffing issues.

The Order may be noted on the docket by reference pursuant to Rule 79(a) of the Maine Rules of Civil Procedure.

May 15, 2025  
DATE

Michael J.  
SUPERIOR COURT JUSTICE