

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. AP-18-11

NICHOLAS GLADU,
Petitioner

DECISION AND ORDER

v.

MAINE DEPARTMENT OF
CORRECTIONS,
Respondent

Nicholas Gladu, an inmate at the Maine State Prison, has appealed the decision of the Commissioner of the Maine Department of Corrections denying his grievance as to the manner in which his court filing fees have been deducted from his prisoner account. This petition for judicial review has been brought pursuant to 5 M.R.S. §§11001-11008 (Maine Administrative Procedure Act) and M.R.Civ.P. 80C.

Gladu has incurred several court filing fees (including for this matter) for which he is liable in accordance with 4 M.R.S. §1058. When Gladu learned that the business office at the Maine State Prison was deducting 20% of all his filing fees simultaneously (i.e., as they were incurred) rather than sequentially, he pursued a grievance through all levels of the process until the Commissioner finally denied it on February 14, 2018.

Citing caselaw that is no longer good authority, Gladu complains that deducting his filing fees simultaneously has the effect of taking all of the money in his account leaving him with nothing to spend. He contends that this practice deprives him of his right of access to the courts.

Gladu's argument is without merit and has been definitively rejected by the United States Supreme Court. *See Bruce v. Samuels*, ___U.S.____, 136 S.Ct. 627 (2016).

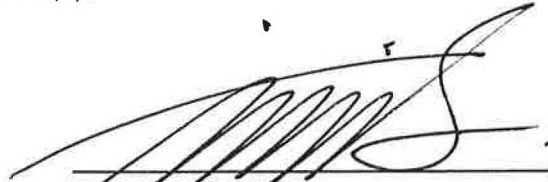
CONCLUSION

The entry is:

The Petition for Judicial Review is DENIED.

The Clerk is directed to incorporate this Order by reference in the docket of this case in accordance with M.R.Civ.P. 79(a).

DATED: November 5, 2018

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

William R. Stokes
Justice, Maine Superior Court