

STATE OF MAINE
KENNEBEC, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO: CV-18-223

LOUIS DUSSAULT,)
)
 Plaintiff)
)
 vs.)
)
 ATTORNEY DANIEL PETERSON,)
 ET AL.,)
)
 Defendants)

ORDER

This matter came on to be heard on Defendant Daniel Peterson's Motion to Dismiss.

The Court having reviewed the pleadings, it is satisfied that Defendant's motion ought to be, and hereby is GRANTED, on the ground that Plaintiff's claim fails to state a claim upon which relief may be granted, and further is subject to dismissal for violations of Rules 12(b)(4) and (5) as well as Rule 3.

Accordingly, Plaintiff Louis Dussault's Complaint against Defendant Peterson hereby is dismissed with prejudice and with costs.

SO ORDERED:

Date: MAY 23 2019


Justice, Maine Superior Court

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
Docket No. CV-2018-223

LOUIS DUSSAULT,)
Plaintiff,)
)
)
v.)
)
)
PAMELA AMES, et al.,)
Defendants.)

ORDER ON PENDING MOTIONS

A number of motions are pending before the court. The court will address each in turn:

The State Defendants’ Motion to Dismiss is GRANTED pursuant to M.R.Civ. P. 12(b)(6) because the Plaintiff’s filings fail to state a claim upon which relief may be granted and pursuant to M.R.Civ. P. 12(b)(5) for insufficient service of process. The claims against Defendant Judge Mitchell are also dismissed because they are barred by judicial immunity. The claims against Defendant McCullum arise out of her work as a Maine *guardian ad litem* and are barred by statutory quasi-judicial immunity and are therefore dismissed. The claims against the Maine Department of Health and Human Services (DHHS) and Maine Vital Records are barred by sovereign immunity and are therefore dismissed.

The County Defendants’ Motion to Dismiss is GRANTED pursuant to M.R.Civ. P. 12(b)(6) because the Plaintiff’s filings fail to state a claim upon which relief may be granted.

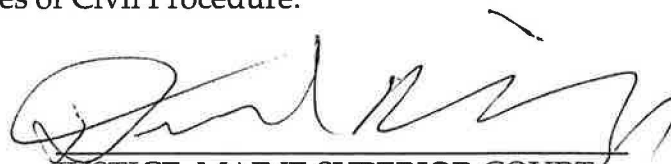
Defendant Ames’ Motion to Dismiss is GRANTED pursuant to M.R.Civ. P. 12(b)(6) because the Plaintiff’s filings fail to state a claim upon which relief may be granted.

Defendant Partridge’s Motion to Dismiss is GRANTED pursuant to M.R.Civ. P. 12(b)(6) because the Plaintiff’s filings fail to state a claim upon which relief may be granted.

With all claims against all defendants now having been dismissed, any pending motions not previously addressed by the court are deemed MOOT.

The Clerk is directed to incorporate this Order by reference into the docket for this case, pursuant to Rule 79(a), Maine Rules of Civil Procedure.

Dated: May 23, 2019



JUSTICE, MAINE SUPERIOR COURT