

RANDALL B. HOFLAND

v.

BANGOR DAILY NEWS

Submitted on Briefs December 5, 2012

Decided December 20, 2012

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD,
GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Randall B. Hofland appeals from the judgment of the Superior Court (Penobscot County, *Anderson, J.*) dismissing his complaint against the Bangor Daily News¹ pursuant to M.R. Civ. P. 12(b)(6). The complaint, in twenty-five counts, alleged various claims of violation of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961-1968 (LexisNexis 2010), defamation, inadequate checking in news stories relating to Hofland's criminal acts, and failure to publish a letter Hofland had written to the editor of the Bangor Daily News.² On appeal, Hofland reiterates his complaints against the Bangor Daily News and asserts that his complaint sufficiently stated a cause of action that it should not have been dismissed. The trial court acted appropriately in dismissing the complaint for failure to state a claim upon which relief could be granted, particularly considering that the complaint does not allege that any statement published by the Bangor Daily News was false. *See Curtis Publishing Co. v. Butts*,

¹ The Superior Court also dismissed Hofland's claims against the Bangor Publishing Company and several individual defendants.

² Hofland's criminal acts are addressed in *State v. Hofland*, 2012 ME 129, --- A.3d ---.

388 U.S. 130, 153 (1967); *Caron v. Bangor Publishing Co.*, 470 A.2d 782, 785 (Me. 1984).

The entry is:

Judgment affirmed.

On the briefs:

Randall B. Hofland, appellant pro se

Bernard J. Kubetz, Esq., and Ryan P. Dumais, Esq., Eaton Peabody, Bangor,
for appellees Bangor Daily News et al.