

STATE OF MAINE

v.

WADE E. SANBORN

Submitted on Briefs September 26, 2013
Decided October 10, 2013

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

MEMORANDUM OF DECISION

The State of Maine appeals from a judgment of the Superior Court (Hancock County, *Cuddy, J.*) dismissing a criminal complaint charging Wade E. Sanborn with violation of sex offender registration (Class D), 34-A M.R.S. § 11227(1) (2012). The court dismissed the complaint upon finding that the Sex Offender Registration and Notification Act (SORNA) of 1999, 34-A M.R.S. §§ 11201-11256 (2012), is a prohibited ex post facto law as applied to Sanborn. In *Doe I v. Williams*, decided after the court entered its judgment, we examined amendments to the statute enacted in response to our decision in *State v. Letalien*, 2009 ME 130, 985 A.2d 4, and held that, as amended, “SORNA of 1999 is nonpunitive. As such, it does not violate the Ex Post Facto Clauses of the United States and Maine Constitutions.” 2013 ME 24, ¶ 51, 61 A.3d 718. Accordingly, we must vacate the court’s judgment.

The entry is:

Judgment vacated. Remanded for further proceedings.

On the briefs:

Janet T. Mills, Attorney General, and Laura Yustak Smith, Asst. Atty. Gen., Office of Attorney General, Augusta; and Carletta Bassano, District Attorney, and Mary N. Kellett, Asst. Dist. Atty., Office of District Attorney, Ellsworth, for appellant State of Maine

Wade E. Sanborn did not file a brief.

Ellsworth District Court docket number CR-2010-910
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