

GINA L. TURCOTTE

v.

SECRETARY OF STATE

Submitted on Briefs July 1, 2014  
Decided July 29, 2014

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

#### MEMORANDUM OF DECISION

Gina L. Turcotte appeals from a judgment of the Superior Court (Kennebec County, *Murphy, J.*) affirming the Secretary of State's denial of her petition for review as untimely. Turcotte's license was suspended by the Secretary of State, effective January 5, 2010, when Turcotte failed to respond to a notice of suspension related to a medical condition. Turcotte argues that she did not receive the suspension notice in the mail because she had not updated her address and that she, therefore, has a continuing right to be heard. In 2011, Turcotte was stopped by a police officer and informed of the suspension. The following day, she provided medical documentation to the Secretary of State, and her license was immediately reinstated. The record does not reflect any civil or criminal charge related to that suspension, or that she was otherwise affected by the suspension. In March of 2013, more than two years after she personally learned of the suspension, Turcotte requested an administrative hearing to challenge the January 2010 suspension. The Secretary of State determined that the request was untimely, the

Superior Court affirmed that determination, and we affirm the determination as well.<sup>1</sup>

The entry is:

Judgment affirmed.

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**On the briefs:**

Gina Turcotte, pro se appellant

Janet T. Mills, Attorney General, and Donald W. Macomber, Asst. Atty. Gen., Office of Attorney General, Augusta, for appellee Secretary of State

Kennebec County Superior Court docket number AP-2013-17  
FOR CLERK REFERENCE ONLY

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<sup>1</sup> Moreover, the issue presented here could be regarded as moot because, within twenty-four hours of Turcotte's report that her license was improperly suspended, the Secretary remedied the situation by restoring Turcotte's license and deleting from her record the failure to comply with the Secretary's request for medical documentation. *See Clark v. Hancock Cnty. Comm'rs*, 2014 ME 33, ¶ 11, 87 A.3d 712; *see also Smith v. Hannaford Bros. Co.*, 2008 ME 8, ¶ 8, 940 A.2d 1079 (recognizing three exceptions to the mootness doctrine, none of which are applicable here).