

FRANKLIN HIGGINS

v.

DEPARTMENT OF CORRECTIONS

Argued April 8, 2014
Decided April 22, 2014

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

MEMORANDUM OF DECISION

The Department of Corrections appeals from a judgment entered in the Superior Court (Knox County, *Hjelm, J.*) vacating its decision to continue Franklin Higgins’s administrative segregation status and placement in the Special Management Unit (SMU) of the Maine State Prison. *See* 5 M.R.S. § 11008 (2013); M.R. Civ. P. 80C(m). It is undisputed that the Department removed Higgins’s administrative segregation status and returned him to the general population on April 12, 2013, rendering this appeal moot, and, thus, we dismiss the appeal. *See Lewiston Daily Sun v. Sch. Admin. Dist. No. 43*, 1999 ME 143, ¶¶ 13-14, 738 A.2d 1239 (stating that a case is moot if “there is no specific relief which the trial court could have ordered or which this Court can order”); *Sordyl v. Sordyl*, 1997 ME 87, ¶¶ 4-7, 692 A.2d 1386 (concluding that none of the exceptions to the mootness doctrine applied).

The entry is:

Appeal dismissed.

On the briefs:

Janet T. Mills, Attorney General, and Diane E. Sleek, Asst. Atty. Gen., Office of Attorney General, Augusta, for appellant Department of Corrections

Kevin Decker, Student Attorney, and E. James Burke, Esq., Cumberland Legal Aid Clinic, Portland, for appellee Franklin Higgins

At oral argument:

Diane E. Sleek, Asst. Atty. Gen., for appellant Department of Corrections

Kevin Decker, Student Attorney, for appellee Franklin Higgins