

BRIAN BAILEY

v.

DEPARTMENT OF MARINE RESOURCES

Argued March 3, 2016
Decided March 10, 2016

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

MEMORANDUM OF DECISION

Brian Bailey appeals from a judgment of the Superior Court (Knox County, *Billings, J.*) denying his petition, brought pursuant to M.R. Civ. P. 80C, for judicial review of a decision of the Commissioner of the Department of Marine Resources (DMR) to suspend his elver fishing license for one year pursuant to 12 M.R.S. § 6374 (2015). Contrary to Bailey's contention, he received sufficient notice of the alleged violation and the statutory bases under which DMR was proceeding to satisfy the requirements of due process and the Administrative Procedure Act, 5 M.R.S. §§ 8001-11008 (2015). *See Guar. Tr. Life Ins. Co. v. Superintendent of Ins.*, 2013 ME 102, ¶ 35, 82 A.3d 121. Section 6374 authorized the Commissioner to impose a one-year suspension of Bailey's license following a hearing at which the Hearing Officer (*Cole, HO*) found that he committed a violation. 12 M.R.S. § 6374(3)(A).

The entry is:

Judgment affirmed.

On the briefs:

Joseph W. Baiungo, Esq., Belfast, for appellant Brian Bailey

Janet T. Mills, Attorney General, and Mark A. Randlett, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Marine Resources

At oral argument:

Joseph W. Baiungo, Esq., for appellant Brian Bailey

Mark A. Randlett, Asst. Atty. Gen., for appellee Department of Marine Resources