

STATE OF MAINE

v.

PAUL R. CARR

Submitted on Briefs April 24, 2019
Decided May 2, 2019

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

MEMORANDUM OF DECISION

Paul R. Carr was charged by complaint with domestic violence assault (Class D), 17-A M.R.S. § 207-A(1)(A) (2018) and assault (Class D), 17-A M.R.S. § 207(1)(A) (2018). While the charges were pending, Carr appealed to us from an order of the trial court (Kennebec County, *Marden, J.*), denying his motion to amend bail to remove a condition prohibiting contact with the victims of the assaults.¹ While this appeal was pending, Carr pleaded guilty to the domestic violence assault charge, and the State dismissed the assault charge. Carr received a deferred disposition (*Mullen, J.*), the conditions of which do not prohibit him from having contact with the victims of the assaults.

Carr has filed a motion requesting oral argument on this appeal.

Because Carr is no longer subject to pre-conviction bail and his contact with the victims is no longer limited, the issue Carr sought to raise by his

¹ Carr did not request a de novo determination of bail. 15 M.R.S. § 1028-A (2018).

interlocutory appeal is moot. See *Anthem Health Plans of Me., Inc. v. Superintendent of Ins.*, 2011 ME 48, ¶ 7, 18 A.3d 824 (“Except in extraordinary circumstances, [w]e will not expend limited judicial resources to review the legal correctness of a decision that will no longer affect the parties involved.” (alteration in original)). We are not persuaded by Carr’s argument that the issue falls into either the “capable of repetition, yet evading review” or public interest exceptions to the mootness doctrine. See *Mainers for Fair Bear Hunting v. Dep’t of Inland Fisheries & Wildlife*, 2016 ME 57, ¶ 10, 136 A.3d 714 (stating that the exception for matters capable of repetition, yet evading review applies only “if there is a reasonable likelihood that the same issues will imminently and repeatedly recur in future similar contexts”); *Clark v. Hancock Cty. Comm’rs*, 2014 ME 33, ¶ 15, 87 A.3d 712 (holding that the public interest exception does not apply to “fact-specific” issues that do not lend themselves to “authoritative determination[s]”). Carr’s request for oral argument is denied.

The entry is:

Appeal dismissed.

Seth Berner, Esq., Portland, for appellant Paul Carr

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Prosecutorial District IV, Augusta, for appellee State of Maine

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