

KENNETH A. CAPRON

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Submitted on Briefs November 18, 2021

Decided December 16, 2021

Panel: STANFILL, C.J., and MEAD, JABAR, HUMPHREY, HORTON, and
CONNORS, JJ.

MEMORANDUM OF DECISION

Kenneth A. Capron appeals from the Superior Court’s (Cumberland County, *Warren, J.*) entry of summary judgment in favor of the Department of Health and Human Services on Capron’s complaint alleging public accommodations discrimination by the Department in violation of the Maine Human Rights Act (MHRA), 5 M.R.S. § 4592 (2021), and the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12134 (2021).¹ Contrary to Capron’s assertions, the court did not err in granting summary judgment to the Department because Capron’s statements of material facts fail to establish a prima facie case for public accommodations discrimination under the MHRA and the ADA. *See Doyle v. Dep’t of Human Servs.*, 2003 ME 61, ¶ 9, 824 A.2d 48; *Scott v. Androscoggin Cty. Jail*, 2004 ME 143, ¶ 17, 866 A.2d 88 (establishing the elements of public accommodations discrimination claims); 5 M.R.S. § 4553(8-D)(B) (2021) (prescribing application of the term “qualified

¹ We have considered Capron’s motion for oral argument, and deny the motion.

individual with a disability” and defining the term for the purpose of public accommodations discrimination claims under the MHRA).

The entry is:

Judgment affirmed.

Kenneth A. Capron, appellant pro se

Aaron M. Frey, Attorney General, and Kelly L. Morrell, Assist. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Cumberland County Superior Court docket number CV-2018-470
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