

MICHAEL L. CHASSE

v.

COMMISSIONER, DEPARTMENT OF CORRECTIONS

Submitted on Briefs May 30, 2002
Decided July 26, 2002

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER,
CALKINS, and LEVY, JJ.

MEMORANDUM OF DECISION

Michael Chasse appeals from the judgment entered in the Superior Court (Knox County, *Mead, J.*) denying his application to proceed in forma pauperis as frivolous. M.R. Civ. P. 91(a)(iv), (b). Chasse filed a complaint seeking damages and a declaratory judgment against the Commissioner of the Department of Corrections for failing to credit him with time served in pre-trial detention. Contrary to Chasse's contention, his complaint is frivolous. A post-conviction proceeding is the exclusive means to challenge the denial or calculation of credit for pre-trial detention, 15 M.R.S.A. §§ 2121-2132 (Supp. 2001); *State v. Crawford*, 2002 ME 113, ¶ 7, --- A.2d ---, ---, and there is no conceivable basis for believing that Chasse's damages claim, brought pursuant to the Maine Civil

Rights Act, 5 M.R.S.A. § 4682 (2002), would succeed, because that Act requires the defendant's intentional interference, or attempted intentional interference, with the plaintiff's rights, be by physical force or violence, or the threat thereof, against the plaintiff.

The entry is:

Judgment affirmed.

For plaintiff:

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