

STATE OF MAINE

CRIMINAL DOCKET  
SAGADAHOC  
Docket No. SAGCD-CR-2023-00226

NOTICE OF HEARING

STATE OF MAINE  
v.  
JOSEPH M EATON

To: ANDREW B WRIGHT  
ANDREW WRIGHT ATTORNEY AT LAW  
16 UNION STREET SUITE 104  
BRUNSWICK ME 04011

OFFENSE(S): 001 MURDER  
002 MURDER  
003 MURDER  
004 MURDER

This is to notify you that a HEARING has been set for DISPOSITIONAL CONFERENCE on  
**06/28/2023 at 02:00 p.m. in Room #1** at the :

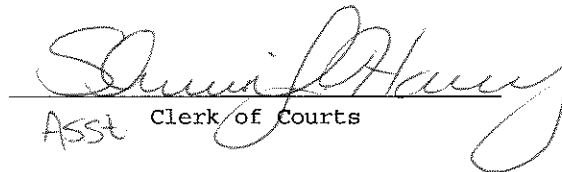
SAGADAHOC CRIMINAL DOCKET  
101 NEW MEADOWS ROAD  
WEST BATH, ME 04530

If you have any questions you may call: (207) 442-0200  
TTY (711) -

**YOUR PRESENCE IS REQUIRED ON THIS DATE AND TIME.**

NOTICE GIVEN ( ) IN HAND *via email*  
( ) BY MAIL

Date: 04/20/2023

  
ASST Clerk of Courts

Attention Defendant:

Failure to appear at the above date and time may result in a default being entered, bail being forfeited, and the issuance of an arrest warrant.

c: File:

D.A.: ROBERT ELLIS  
Officer: HUGH LANDRY Dept: MSP

MAINE JUDICIAL BRANCH

COMMITMENT ORDER with CONDITIONS OF RELEASE  CONDITIONS OF RELEASE

UNIFIED CRIMINAL DOCKET located at SAGADAHOC

Docket No. SAGCD-CR-2023-00226

STATE OF MAINE v. JOSEPH M EATON

OFFENSE(S): MURDER

SEQUENCE NUMBER:621 Title: 17-A / 201 / 1 / A

CLASS: M

CHARGE: 1

ATN/CTN: 476214B001

OFFENSE DTE (mm/dd/yyyy):04/17/2023

LOCATION OF OFF: BOWDOIN

AGENCY: MSC

OFFENSE(S): MURDER

SEQUENCE NUMBER:621 Title: 17-A / 201 / 1 / A

CLASS: M

CHARGE: 2

ATN/CTN: 476214B002

OFFENSE DTE (mm/dd/yyyy):04/17/2023

LOCATION OF OFF: BOWDOIN

AGENCY: MSC

OFFENSE(S): MURDER

SEQUENCE NUMBER:621 Title: 17-A / 201 / 1 / A

CLASS: M

CHARGE: 3

ATN/CTN: 476214B003

OFFENSE DTE (mm/dd/yyyy):04/17/2023

LOCATION OF OFF: BOWDOIN

AGENCY: MSC

Defendant shall be held at the  Sagadahoc County Jail  Department of Corrections

without bail  as indicated on attached Bail Bond form  until bail is posted as follows:

PERSONAL RECOGNIZANCE.

UNSECURED. Defendant is not required to post any security to be released, but if defendant fails to appear as the Bail Bond requires defendant shall owe the State of Maine \$ \_\_\_\_\_

SECURED. Defendant shall be released from custody only after the following security is posted.

Cash in the amount of \$ \_\_\_\_\_ or  No Third Party Bail Allowed

Real estate (or \_\_\_\_\_) with a net value (total value less encumbrances) of \$ \_\_\_\_\_.

Bail Lien.  Within 1 working day after today.  Before defendant may be released, a lien on the real estate described must be recorded in the Registry of Deeds in the county where the real estate is located, and proof of such recording must be filed with the court listed above. (Note: The Registry of Deeds and the clerk's office are different offices and may be in different counties.)

SUPERVISED RELEASE: Check One Box Only  AND  OR in the alternative, defendant is released to the custody of a supervised bail contract pursuant to terms and conditions provided in the contract. The contract must be signed by the Defendant, the Court, and the supervising agency.

CONCURRENT. This bail is concurrent to the bail previously set/posted in (list court and docket number): \_\_\_\_\_

**Additional conditions to which the defendant agrees to obey, if checked. The defendant will not:**

use  possess OR  excessively use or possess  alcohol; and

use  possess OR  excessively use or possess  marijuana or marijuana products; and

use or possess  any illegal drugs or their derivatives; and  use or possess  any dangerous weapons or  firearms.

In order to determine if s/he has violated any prohibitions of this bond regarding alcohol, illegal drugs or their derivatives, marijuana or marijuana products, she/he will submit to searches of her/his person, vehicle, and residence and, if applicable, to chemical tests upon articulable suspicion.

As a condition of her/his participation in a specialty court docket, or as a condition of her/his deferred disposition, she/he will submit to random searches of her/his person, vehicle, and residence and, if applicable, to chemical tests for possession or use of alcohol, illegal drugs or their derivatives, or marijuana or marijuana products.

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

In order to determine if s/he has violated any prohibitions of this bond regarding firearms or dangerous weapons, s/he will submit to searches of her/his person, vehicle, and residence  at any time without articulable suspicion or probable cause.  upon articulable suspicion.

have no direct or indirect contact with (name and DOB (mm/dd/yyyy)) \_\_\_\_\_ except as is necessary

for counseling;  to pay child support;  for child contact;  for court appearances;  by telephone ( from \_\_\_\_\_ am  pm to \_\_\_\_\_  am  pm);  by text;  by email;  \_\_\_\_\_ and not enter any  residence  place of employment  place of education of any such person(s);  except for a single time, while accompanied by a police officer, for the purpose of retrieving defendant's personal effects.

maintain or actively seek employment;  maintain or commence an education program.  
 participate in regular substance abuse counseling and provide proof of such counseling upon request.  
 undergo  medical  mental health  evaluation  counseling/treatment & provide proof of such counseling/treatment upon request.  
 complete certified Domestic Violence Intervention Program  undergo other counseling/treatment \_\_\_\_\_ and provide proof of such counseling/treatment upon request.  
 abide by the following restrictions on personal associations, place of abode, or travel: \_\_\_\_\_

report  daily  weekly  \_\_\_\_\_,  in person  by phone, to  probation officer  \_\_\_\_\_  
 comply with the following curfew: \_\_\_\_\_

participate in  outpatient  voluntary inpatient treatment; at or with \_\_\_\_\_  
 take medications as prescribed.  participate in an electronic monitoring program.  
 not operate any motor vehicle under any circumstances  unless lawfully licensed to do so.  
 \_\_\_\_\_

If the defendant makes bail, the defendant is required to appear at the Unified Criminal Court on: (mm/dd/yyyy) 06/28/2023 at 2:00  am  pm and on any other date and time and at the court the justice, judge or clerk tells me to appear.

(This Conditions of Release form must be attached to defendant's Bail Bond).

4-20-2023 \_\_\_\_\_  
Date (mm/dd/yyyy)      X [Signature]  Justice  Judge  Clerk  Bail Commissioner      Printed Name of Bail Commissioner

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OFFENSE(S): MURDER

SEQUENCE NUMBER: 621 Title: 17-A / 201 / 1 / A

CLASS: M

CHARGE: 4

ATN/CTN: 476214B004

OFFENSE DTE (mm/dd/yyyy): 04/17/2023 LOCATION OF OFF: BOWDOIN

AGENCY: MSC

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STATE OF MAINE

Location SAGADAHOC CRIMINAL DOCKET  
Docket No. SAGCD-CR-2023-00226

STATE OF MAINE  
v.

NOTICE OF APPOINTMENT

JOSEPH M EATON  
17 MALLISON FALLS RD  
WINDHAM ME 04062

The purpose of this notice is to inform you, JOSEPH M EATON that your court-appointed attorney is:

ANDREW B WRIGHT Appt Date:04/20/2023  
16 UNION STREET SUITE 104  
BRUNSWICK ME 04011  
TEL: (207) 558-2302

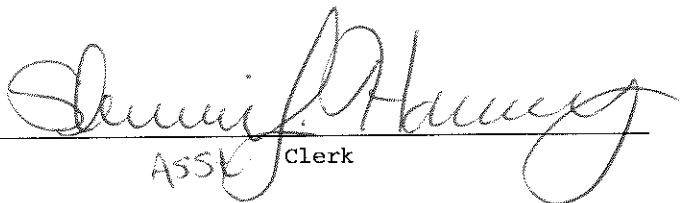
YOU MUST CONTACT YOUR ATTORNEY IMMEDIATELY to make an appointment to discuss your case. If you fail to do so you may miss important deadlines and make it more difficult for your attorney to assist you.

You must contact this Court if there are any changes in your address or financial status. Failure to do so could result in a violation of a court Order and criminal prosecution.

If you should have any questions, please contact the court at:  
SAGADAHOC CRIMINAL DOCKET  
101 NEW MEADOWS ROAD

WEST BATH ME 04530  
TEL: (207) 442-0200  
TTY: (711) -

Date: 04/20/2023

  
ASST Clerk

STATE OF MAINE

CRIMINAL DOCKET  
SAGADAHOC, ss.  
Docket No. SAGCD-CR-2023-00226

ORDER FOR MENTAL  
EXAMINATION  
(15 M.R.S. § 101-D)

STATE OF MAINE

v.

JOSEPH M EATON  
02/07/1989

Date of Birth: 02/07/1989  Not in custody  In custody at TBRJ

**Competency to Proceed.** Pursuant to 15 M.R.S. § 101-D and for cause shown, it is hereby ordered that the defendant be examined by the State Forensic Service for evaluation of the defendant's competency to proceed. The State Forensic Service shall promptly examine the defendant and report its initial determination regarding the defendant's competency to proceed to the court. If based on its examination, the State Forensic Service concludes that further examination is necessary to fully evaluate the defendant's competency to proceed, the report must so state and must set forth recommendations as to the nature and scope of any further examination. Upon receipt of any report filed by the State Forensic Service, the clerk shall forward the report to the defendant, or the defendant's attorney and to the attorney for the State.

Because the defendant is incarcerated, the examination must take place within 21 days of the court's order and the report must be filed within 30 days of the court's order. If the defendant is incarcerated, the examination shall take place, at the discretion of the State Forensic Service, at the correctional facility or outside the correctional facility at a time and place designated by the State Forensic Service. If the latter, the correctional facility shall provide transportation and security for the examination.

**Insanity; Abnormal Condition of the Mind.** Pursuant to 15 M.R.S. § 101-D (2) and for cause shown, it is hereby ordered that the defendant be examined by the State Forensic Service for evaluation of the defendant's mental state at the time of the crime with reference to criminal responsibility under 17-A M.R.S. § 39 and abnormal condition of the mind under 17-A M.R.S. § 38. The State Forensic Service shall promptly examine the defendant and the circumstances of the crime and provide a report of its evaluation to the court. If, based on its report, the State Forensic Service concludes that further examination is necessary to fully evaluate the defendant's mental state at the time of the crime, the report must so state and must set forth recommendations as to the nature and scope of any further evaluations.

Upon receipt of any report filed by the State Forensic Service, the clerk shall forward the report to the defendant, or the defendant's attorney and to the attorney for the State.

Upon receipt of any report from the State Forensic Service, the clerk shall forward the report to the defendant, or the defendant's attorney. The report shall be otherwise impounded except that it must be forwarded to the attorney for the State if the defendant enters a plea of not criminally responsible by reason of insanity or, with reference to an abnormal condition of the mind, the defendant provides notice to the attorney for the State of the intention to introduce testimony as to the defendant's abnormal condition of the mind pursuant to the Maine Rules of Criminal Procedure, Rule 16A (a).

Because the defendant is incarcerated, the examination must take place within 45 days of the court's order and the report must be filed within 60 days of the court's order. The examination shall take place, at the discretion of the State Forensic Service, at the correctional facility or outside the correctional facility at a time and place designated by the State Forensic Service. If the latter, the correctional facility shall provide transportation and security for the examination.

**Mental Condition relevant to Other Issues.** Pursuant to 15 M.R.S. § 101-D (3) and for good cause shown, it is hereby ordered that the defendant be examined by the State Forensic Service for evaluation of the defendant's mental condition with respect to the following issues: \_\_\_\_\_

The State Forensic Service shall promptly examine the defendant and the circumstances relevant to the issues identified above and report to the court regarding the defendant's mental condition as it pertains to those issues. Upon receipt of any report filed by the State Forensic Service, the clerk shall forward the report to the defendant, or the defendant's attorney and to the attorney for the State.

Because the defendant is incarcerated, the examination must take place within 45 days of the court's order and the

report must be filed within 60 days of the court's order. The examination shall take place, at the discretion of the State Forensic Service, at the correctional facility or outside the correctional facility at a time and place designated by the State Forensic Service. If the latter, the correctional facility shall provide transportation and security for the examination.

- Commitment for Observation.** Pursuant to 15 M.R.S. §101-D(4) and based upon the determination of the State Forensic Service that observation of the defendant will materially enhance its ability to perform an examination ordered pursuant to 15 M.R.S. §§ 101-D(1)-(3), it is hereby ORDERED that the defendant be committed to the custody of the Commissioner of the Health and Human Services for placement in an appropriate institution for the care and treatment of people with mental illness or in an appropriate residential program that provides care and treatment for persons who have intellectual disabilities or autism for observation for a period of time not to exceed 60 days. If the State Forensic Services requires additional time for observation, it shall communicate its request and the reasons for that request to the Court and to counsel for the parties. When the State Forensic Service determines further observation of the defendant no longer necessary, the Commissioner shall report that determination to the Court and the Court shall terminate the commitment. If the defendant had been incarcerated prior to the commitment for observation and if, during the period of observation, the defendant presents a substantial risk of causing bodily injury to staff or others that cannot be managed in an appropriate institution for the care and treatment of people with mental illness or in an appropriate residential program that provides care and treatment for persons who have intellectual disabilities or autism, the commissioner may return the defendant to the correctional facility. The commissioner shall report the risk management issues to the court.
- Based upon the determination by the State Forensic Service that the correctional facility where the defendant is incarcerated can provide an appropriate setting for the observation, the observation may take place at the correctional facility where the defendant is incarcerated. The defendant is not committed to the custody of the commissioner of the Health and Human Services.
- The Institution or residential program where the defendant is placed by the Commissioner of Health and Human Services is authorized to provide treatment to the defendant.
- Pursuant to 34-A M.R.S. § 3069-B (1), the court finds by clear and convincing evidence that:
1. The defendant is a person with mental illness and, as a result of the defendant mental illness, the defendant poses a likelihood of serious harm to others.
  2. There is not sufficient security at a state mental health institute to address the likelihood of serious harm, and
  3. There is no other less restricted alternative to placement in a mental health unit of a correctional facility.

**Access to Records.** In this case, the defendant has either joined in a request or order for the examination or has entered a plea of not criminally responsible by reason of insanity. Accordingly, pursuant to 15 M.R.S. § 101-C, it is ORDERED that, when requested by the State Forensic Service, any health care entity shall produce and provide to the State Forensic Service the records or copies of the records of the defendant forthwith. "Records" means information about the defendant as defined in 15 M.R.S. § 101-C (4).

Date: 4-20-2022

  
\_\_\_\_\_  
Judge/Justice

Daniel J. Billings  
\_\_\_\_\_  
Printed name of Judge/Justice

Mental Examination requested by  Court  DA/AG  Defendant's Attorney  Other: \_\_\_\_\_

STATE OF MAINE

- Unified Criminal Docket
- Superior Court
- District Court

County: Sagadahoc  
 Location: West Bath  
 Docket No: SAGCD-CR-2023-226

STATE OF MAINE/\_\_\_\_\_

v.

ORDER ON MOTION  
FOR COURT APPOINTED COUNSEL

Eaton, Joseph

Defendant/Respondent

Defendant/Respondent is charged with a  Class A  Class B  Class C  Class D  Class E  
 JV offense  Probation Violation  Post-Conviction Review  Child Protection Petition

Based upon the information provided by the attorney for the State, Motion for Assignment of Counsel is DENIED because there is NO RISK OF JAIL on this Class D or Class E charge.

Based upon the information contained in defendant/respondent's financial affidavit, the Motion for Assignment of Counsel is DENIED because the Defendant is not indigent.

Based upon the information contained in defendant/respondent's financial affidavit, Motion for Assignment of Counsel is GRANTED. Attorney Andrew Wright is appointed to represent defendant.

Based upon the information contained in defendant/respondent's financial affidavit, Motion for Assignment of Counsel is GRANTED. Attorney \_\_\_\_\_ is appointed to represent defendant. Defendant/respondent is found to be partially indigent, and is hereby ordered to pay towards attorney fees as follows:

\$ \_\_\_\_\_ per  week  month up to a total of \$ \_\_\_\_\_, starting \_\_\_\_\_.

Until this obligation is paid in full, Defendant/Respondent is ordered to notify the court Clerk's Office of any change of address, even if the case is otherwise complete. Failure to comply with this order to make payment may result (1) in the loss of your eligibility to be represented by assigned counsel, and (2) the suspension of your driver's license or other licenses you hold.

Any first-party bail may be applied to offset counsel fees.

Any State of Maine income tax refund is subject to garnishment to offset past due counsel fees.

The defendant/respondent is ordered to update their financial affidavit within 5 business days of any change of financial circumstances, including but not limited to, any change of employment status. This Order may be vacated if defendant fails to follow this Order, or if the Court determines that the information provided by defendant/respondent on their financial affidavit is inaccurate.

Date: 4-20-2023

[Signature]  
Judge/Justice

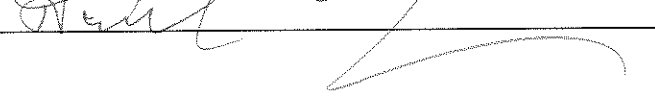




IT IS HEREBY ORDERED THAT THE FOREGOING MOTION IS:

GRANTED  DENIED  WITHDRAWN

Dated: 4-20-23 Maine Unified Criminal Court

  
\_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day, by hand-delivery, forwarded a copy of the foregoing Motion to Robert Ellis, Esq., Office of the Attorney General, 6 State House Station, Augusta, Maine 04033.

Dated at Brunswick, Maine. April 19, 2023.

*/s/ Andrew Wright*

\_\_\_\_\_  
Andrew Wright

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# ANDREW WRIGHT

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ATTORNEY AT LAW

Beth Gagnon  
Clerk of Courts  
West Bath District Court  
101 New Meadows Road  
West Bath, ME 04530

April 19, 2023

Re: State v. Eaton

Dear Beth,

Enclosed please find a copy of the Defendant's Motion for Forensic Evaluation. Please feel free to contact me with any questions or comments you may have.

Sincerely,

*/s/ Andrew Wright*

Andrew Wright

cc:  
Robert Ellis, Esq.