

**STATE OF MAINE, *ex rel.* ANGELINA  
DUBE PETERSON; and, UNKNOWN OR  
UNCERTAIN PERSONS,**

Petitioners,

v.

**PETER A. JOHNSON**, Aroostook County  
Sheriff, in his official capacity;  
**WILLIAM L. KING**, York County Sheriff,  
in his official capacity; **HON. SARAH  
GILBERT**, Judge of the Maine District  
Court, in her official capacity; **HON.  
CARRIE LINTHICUM**, Judge of the  
Maine District Court, in her official  
capacity; and, **UNKNOWN JUDGES AND  
JUSTICES OF THE MAINE UNIFIED  
CRIMINAL DOCKET**, all in their official  
capacities.

Respondents.

**Respondent William L. King's  
Response to Petition for a Writ of  
Habeas Corpus**

NOW COMES Respondent, William L. King, York County Sheriff, pursuant to the Court's Procedural Order, and responds to the petition for a writ of habeas corpus as follows, denying every allegation not expressly admitted herein.

1. Respondent lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 1 of the petition and, therefore, denies those allegations. Furthermore, the allegations contained in Paragraph 1 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

2. The allegations contained in Paragraph 2 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

3. Paragraph 3 of the petition is admitted.

4. Respondent lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 4 of the petition and, therefore, denies those allegations. Furthermore, the allegations contained in Paragraph 4 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

5. Respondent admits that Angelina Dube Peterson was, at the time the petition was filed, incarcerated in the York County Jail pending trial on Aroostook County docket number(s). By way of further answer, Respondent states that Ms. Peterson was released on bail and, upon information and belief, Ms. Peterson was appointed counsel. Otherwise, Respondent lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 5 of the petition and, therefore, denies those allegations.

6. Respondent lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 6 of the petition and, therefore, denies those allegations. Furthermore, the allegations contained in Paragraph 6 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

7. Respondent lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 7 of the petition and, therefore, denies those allegations. Furthermore, the allegations contained in Paragraph 7 of the petition

set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

8. The allegations contained in Paragraph 8 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

9. Respondent admits Paragraph 9 of the petition.

10. Respondent admits Paragraph 10 of the petition.

11. The allegations contained in Paragraph 11 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

12. Respondent admits Paragraph 12 of the petition.

13. Respondent admits paragraph 13 of the petition.

14. The allegations contained in Paragraph 14 of the petition set forth propositions of law and demands for relief to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

15. The allegations contained in Paragraph 15 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

16. The allegations contained in Paragraph 16 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

17. The allegations contained in Paragraph 17 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

18. The allegations contained in Paragraph 18 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

19. The allegations contained in Paragraph 19 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

20. The allegations contained in Paragraph 20 of the petition set forth propositions of law to which no answer is required. To the extent an answer is required, those allegations are denied to the extent they are inconsistent with law.

### **Relief Sought**

Respondent denies that Petitioners are entitled to any relief sought in their Relief Sought paragraphs.

### **Affirmative Defenses**

1. The petition fails to state a claim upon which relief can be granted.
2. This Court lacks jurisdiction, as the case is moot and non-justiciable.
3. The persons prosecuting this petition lack standing.
4. The aggrieved parties described in the petition failed to exhaust direct remedies in their pending criminal matters; thus, collateral relief in habeas corpus is unavailable.
5. To the extent the petition attempts to plead a class action, the petition fails to satisfy the requirements of M.R. Civ. P. 23.

6. The petition fails to name indispensable parties pursuant to M.R. Civ. P. 19(a) and 14 M.R.S. § 5522; in particular, the petition should include the attorneys for the State responsible for prosecuting Peterson and the “unknown or uncertain” persons, as those attorneys have an interest in the proceeding and the outcome of this proceeding will impact that interest.

7. The petition is improperly brought in the name of the State of Maine. Although Rule 17(a) authorizes an action for use or benefit of another to be brought under the name of the State of Maine “when a statute so provides[,]” Title 14, Chapter 609 does not provide that a petition for a writ of habeas corpus filed by one person for the benefit of another should be brought in the name of the State of Maine.

8. The petition is not under oath as required by 14 M.R.S. § 5514.

9. Respondent reserves the right to amend this answer to add any affirmative defenses as they become known or available during this litigation.

Dated: October 11, 2023

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### **CERTIFICATE OF SERVICE**

I hereby certify that, on the date set forth below, I caused to be served the foregoing pleading via e-mail upon the following counsel or parties:

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