



**STATE OF MAINE
SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT**

NOTICE OF INVITATION TO FILE AMICUS BRIEFS

**Law Court invites amicus briefs on
constitutionality of warrantless blood draws
from drivers in fatal accidents**

The Maine Supreme Judicial Court, sitting as the Law Court, invites briefs of amici curiae in the appeal of *State of Maine v. Randall J. Weddle*, Law Court docket number Kno-18-138. Weddle was convicted after a jury trial of two counts of manslaughter (Class A), two counts of OUI resulting in death (Class B), and other charges related to a traffic accident. Weddle appeals, arguing, among other things, that the trial court erred in failing to suppress the results of a warrantless blood test. The Law Court specifically requests that amici address the following issue:

May a warrantless blood draw be considered a reasonable search or seizure in accordance with the Fourth Amendment if (1) exigent circumstances, such as the statutorily addressed fatality, *see* 29-A M.R.S. § 2522 (2018), are present and (2) probable cause of intoxication or impairment existed before the blood draw, but is not established until after the blood draw.

The parties' briefs and the appendix, as well as the recording of the first oral argument in this appeal, are available on the Court's website at www.courts.maine.gov/quick/weddle.

An amicus brief, which may not exceed ten pages (exclusive of the required tables, signature block, and certificate of service on the parties) may be filed by or on behalf of any individual, entity, or group of individuals and/or entities without separate leave of the Court. Any amicus brief must be filed on or before **June 7, 2019**. An amicus brief must be filed at the address listed below and must comply with M.R. App. P. 7A. In addition to filing and serving the required number of copies, any amicus must send a copy of the brief electronically, as a single "native" or text-based .pdf file, to lawcourt.clerk@courts.maine.gov.

Dated: May 10, 2019

Matthew Pollack
Clerk of the Law Court
205 Newbury Street Room 139
Portland, Maine 04101
(207) 822-4146
lawcourt.clerk@courts.maine.gov