



RUSSELL BLACK, et al.

V.

ANDY CUTKO, et al.

"X" the court for filing:

Superior Court District Court

Unified Criminal Docket

County: CUMBERLAND

Location (Town): PORTLAND

Docket No.: BCD-CV-2020-29

NOTICE OF APPEAL

CIVIL CRIMINAL

I, (name of party appealing), Bureau of Parks and Lands and Director Cutko appeal from the judgment, order or ruling entered in this proceeding on (date of order appealed from - mm/dd/yyyy) See Exhibit A. Any party who wishes to be heard on this appeal must file an appearance.

This is a civil appeal.

This case arises from the Maine Tort Claims Act requiring the clerk to send a copy of this Notice of Appeal to the Office of the Attorney General.

If this is a criminal appeal, check one of the following:

The defendant is presently confined at

The defendant is not in custody. The defendant's address is:

"X" THE APPLICABLE BOX:

The Transcript Order form is attached.

No transcript will be ordered.

No electronic or other recording of the proceedings can be prepared for this civil case. Therefore, a statement in lieu of transcript will be prepared pursuant to M.R. App. P. 5(d).

Date (mm/dd/yyyy): 08/13/21

► /s/ Lauren E. Parker

Signature of Appellant or Appellant's Attorney

Address of Appellant or Attorney:

Maine Office of The Attorney General

6 State House Station

Augusta, ME 04333-0006

Lauren E. Parker

Printed name of Appellant or Appellant's Attorney

If attorney, bar number: 5073

PLEASE NOTE: This Notice of Appeal must be filed in the court that issued the order appealed from. It will not be accepted or docketed unless (1) in a Civil case, it is accompanied by the required filing fee or a motion to waive the filing fee, and (2) if the appellant is represented, it contains the bar number of Appellant's attorney.

If this is an appeal from a civil case or a criminal case involving an adult defendant, this notice must be filed within 21 days of the entry of the judgment in the docket. If this is an appeal from a case involving the extradition of a fugitive to another state, this notice must be filed within 7 days of the entry of the judgment in the docket.

WARNING: Small Claims, Forcible Entry & Detainer and Juvenile matters have differing time limits for filing a Notice of Appeal. If this is an appeal from a Small Claims, Forcible Entry and Detainer or Juvenile matter, another form must be used which is available from the clerk.

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, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.



**EXHIBIT A TO DIRECTOR CUTKO'S AND THE BUREAU OF PARKS AND LANDS'
NOTICE OF APPEAL**

Defendants Andy Cutko, as Director of the Bureau of Parks and Lands, and the Bureau of Parks and Lands, State of Maine, Department of Agriculture, Conservation and Forestry (collectively, the Bureau) appeal from the Superior Court's Decision and Order (14 M.R.S.A. § 5953 & M.R. Civ. P. 80C) dated August 10, 2021, and all prior orders including, without limitation, the Order Regarding the Declaratory Judgment Record and 80C Record, dated April 21, 2021; the Order on the Application of Art. IX, § 23 of the Maine Constitution to the Bureau's Authority to Lease Public Reserved Lots, dated March 17, 2021; the Order on Defendants' Motions to Dismiss Counts 1 and 2, dated December 21, 2020; and the Order on Central Maine Power Company's Motion to Dismiss for Lack of Standing, dated October 30, 2020.