

STATE OF MAINE

SUPREME JUDICIAL COURT
Sitting as the Law Court
Docket No. BCD-21-257

Russell Black et al.

v.

Bureau of Parks and Lands et al.

**ORDER DENYING “REQUEST FOR
LEAVE TO FILE A RESPONSE TO
APPELLANT’S MOTION TO
DEFER OR CONSOLIDATE”**

Russell Black et al. (collectively Black) have moved for leave to file a response to the alleged request of the Bureau of Parks and Lands and Central Maine Power Company (CMP) “to delay consideration” of the issue of whether this appeal is moot given the recent citizens’ initiative regarding the leases at issue in this appeal or to consolidate this appeal with *Avangrid Networks, Inc. v. Bureau of Parks and Lands et al.*, Law Court docket number BCD-21-416. CMP has filed an opposition to Black’s motion.

Black acknowledges that the request that he wishes to respond to was not “raised by motion” and claims that the request was raised “in the guise of a purported response to the motion to dismiss as moot.” Black does not, however, cite to any specific language that makes that request that is contained in the responses of the Bureau and CMP to the motion to dismiss, and, for the purposes of Black’s present motion, the Court will not parse the oppositions to determine whether any language in them could be construed as

a request to “delay consideration” of an issue or consolidate this appeal with BCD-21-416.

After Black made his motion, CMP filed a motion explicitly requesting that the oral argument in this matter be “deferred” “until on or close to the date of the argument in” BCD-21-416. Black’s response to that motion is due by February 3, 2022. Because Black has not shown that CMP and the Bureau actually requested any particular relief from this Court, and because Black will have the opportunity to explain, in his response to CMP’s motion to defer oral argument in this matter, why the Court should not defer consideration of the issues raised in this appeal until it also considers BCD-21-416, the Court will not permit him to file a response to CMP’s and the Bureau’s oppositions to his motion to dismiss this appeal as moot.

Black’s motion is DENIED.

Dated: 31 January, 2022

For the Court,



Associate Justice

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