

STATE OF MAINE

July 21st 2025

YORK COUNTY DISTRICT COURT

York

YORK JUDICIAL CTR FC
JUL 21 '25 AM 8:18

Location: Biddeford

Docket No.: YRKCD-CR-2024-04263

STATE OF MAINE,

Plaintiff,

v.

Lucas Lanigan

Defendant

MOTION TO SUPPRESS

NOW COMES the Defendant, Lucas Lanigan, by and through pro se, and respectfully moves this Honorable Court to suppress statements the prosecution seeks to admit into evidence, and in support thereof states the following:

1. The prosecution seeks to introduce statements made by the alleged victim, Catalina Lanigan, and all third parties during the initial investigation into the alleged incident. Maine Rule of Evidence 803(2)¹
2. These statements have since been formally recanted by the alleged victim, who has informed the District Attorney's Office that her initial statements were false.
EX 1
3. Despite the recantation, the prosecution continues to rely on the original statements to support the charges and trial preparation.
4. The original statements were made in a voluntary context and were not the result of distress, duress, or contemporaneous trauma. They were made in a statement format — not contemporaneously with any alleged event — and lack the reliability of an excited utterance or spontaneous declaration.

¹ State v. LaFrance (1991 ME)

Held that a detailed statement by a victim to a third party was not admissible as a “first complaint” and did not qualify as an excited utterance. Because it lacked spontaneity and was too reflective, the court reversed its admission under the hearsay exceptions. The ruling emphasized that statements made after time for reflection—without distress and without spontaneity—do not fit into Maine Rule of Evidence 803(2).

State v. Kimball (2015 ME 67)

The Court examined whether victim statements made to 9-1-1 and EMT personnel were testimonial, and hence barred by the Confrontation Clause, since the victim did not testify. Under Crawford/Davis, the Court reaffirmed that testimonial statements require either unavailability of the declarant and a prior opportunity for cross-examination. Because the victim did not appear, the Confrontation Clause was implicated—and admission of the statements violated the defendant's rights. Key takeaway: Statements not made under emergency conditions and intended to document past events are testimonial and inadmissible without cross-examination.

5. These statements constitute hearsay under Rule 801 of the Maine Rules of Evidence and do not qualify under any exception to the hearsay rule.
6. Admission of these statements would violate the Defendant's rights under the Confrontation Clause of the Sixth Amendment of the U.S. Constitution and Article I, Section 6 of the Maine Constitution, as the declarant is available and willing to testify that her prior statements were false.
7. Because the statements are unreliable, inadmissible hearsay, and violate the Defendant's constitutional rights, they must be suppressed.
8. "In *State v. LaFrance*, the Maine Supreme Judicial Court held that statements made after reflection and without contemporaneous stress are not admissible as excited utterances or first complaints."²
9. "Further, under *Kimball* and *Sykes*, admission of testimonial statements without the victim's testimony or prior cross-examination violates the Confrontation Clause of both the U.S. and Maine Constitutions."³

² **State v. Kimball (2015 ME 67)**

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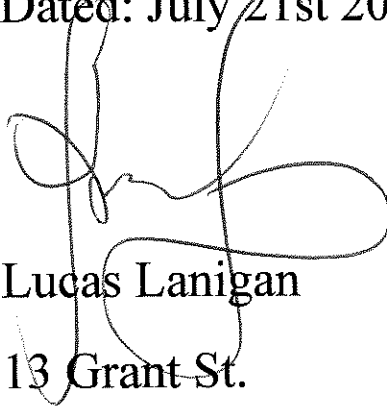
³ **State v. Sykes (2019 ME 43)**

Even though a 9-1-1 call may qualify as an "excited utterance" under Rule 803(2), the Court found that admitting such a recording without the victim testifying violated the Sixth Amendment if the declarant was unavailable and the statement was effectively testimonial. The State couldn't benefit from failing to call the witness. So even when an exception would allow hearsay, the Confrontation Clause may still bar it if the declarant is unavailable and testimonial.

WHEREFORE, the Defendant respectfully requests this Honorable Court to grant this Motion and suppress the use of the above-referenced statements at trial or in any other proceeding.

Respectfully submitted,

Dated: July 21st 2025

A handwritten signature in black ink, appearing to read 'Lucas Lanigan', is written over the printed name and address.

Lucas Lanigan

13 Grant St.

Springvale Maine, 04083

207.351.5383

lukelanigan207@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Suppress was delivered on this date to the Office of the District Attorney for York County, via:

☒ Hand delivery

☐ U.S. Mail

☐ Email (with consent)

☐ Electronic filing system (if applicable)

Dated: July 21st 2025


Lucas Lanigan

STATE OF MAINE
YORK, ss

UNIFIED CRIMINAL DOCKET
LOCATION: BIDDEFORD
DOCKET #: YRKCD-CR-2024-04263

STATE OF MAINE

v.

WITNESSES FOR THE STATE

LUCAS J LANIGAN

At the trial of the above matter, the State may call all or some of the following persons as witnesses for proof of its case. The State may not list persons who may be called for purposes of impeachment or rebuttal.

Catalina A Lanigan
13 Grant St. Springvale, ME 04083
DOB: 07/10/1981

Amanda Jean Wells
823 Milton Mills Rd Acton, ME 04001
DOB: 04/18/1980

Bethany Fromwiller
14 Wildwood Dr Springvale, ME 04083
DOB: 01/19/1977

Dawn T Gray
36 Pleasant Drive Berwick, ME 03901
DOB: 10/19/1973

Reed Celyn
123 31st St Shapleigh, ME 04076
DOB: 12/09/1977

Eddie Murphy
Sanford Police Department

Eric H Small
Sanford Police Department

Erik T. Rae
Sanford Police Department

Jeremy R Riddle
Sanford Police Department

Robert Brown Jr. DO
Maine Health Sanford

Daniel Singer, RN
Maine Health Sanford

Ashley Bryant, RN
Maine Health Sanford

Sarah Desmarais, RN
Maine Health Sanford

Tara Benson, RN
Maine Health Sanford

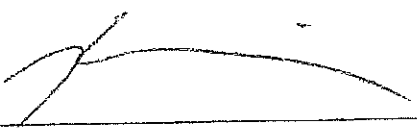
Chemist
Maine State Police Crime Laboratory

DNA Forensic Chemist
Maine State Police Crime Laboratory

Sanford EMS

The State reserves the right to amend this witness list at any time upon reasonable notice to the Defendant and the Court.

Dated: January 03, 2025
Amended: June 17, 2025



Kristen R Dorion
Attorney for the State
Bar No. 5616

copy: Lucas Lanigan (in hand)

SANFORD POLICE DEPARTMENT

WITNESS STATEMENT

SANFORD, MAINE

Name of Witness: Catalina Lanigan Date: 10/25/24

Address: 13 Grant St Time: _____
Springvale, ME

Date of Birth: 7/10/81 Current Phone Number: (207) 351-5780

Email Address: _____

Case Officer: Sgt Riddle Call #: 24-97882 AR/OF #: 24SAN-2513-C

Statement:

On Friday afternoon, I Catalina Drink a bottle of wine and got into an altercation with my husband Lucas Lanigan. We have been having some issues and I got upset about Luke being with a worker at his shop. I tried to put my hand in anger and Luke restrain me from hurting myself. We did get into a little bit of a scuffle. I went home and drink some more, because I have been sober for 30 days and taking naltrexone I got very ill and had to be taken to the hospital.

I don't wish to press charges on my husband.

By signing my name below, I understand that a written false statement, which I do not believe to be true, is a crime pursuant to Title 17-A, Section 453 and Section 509, of the Maine Revised Statutes Annotated, both Class D crimes.

Signature: C Lanigan Date: 10.26.24

Witness: _____ Date: _____

My name is Amanda Wells and I have been great friends with Catalina Lanigan for over 7 years. On Friday, October 25 I received a call from my sister approximately 2:35pm asking me to leave work and go to Catalina's house "now!". She then sent me a picture of Catalina's crying, bruised face. Before I left work, I told my coworker, Dawn Gray what had happened and that I was leaving to go to Cat's house.

When I arrived at 13 Grant Street I knocked on the door. My sister Bethany Fromwiller let me in the house and that is the first time I saw Cat. Cat was sitting on the floor in the kitchen, crying, distraught, her face was visibly bruised. When I sat down beside her she fell into my lap crying "He hurt me, I just wanted to show him my 30-day chip, I was so proud and that girl was with him, that midget whore she said. "I yelled at her and him I told him I was going to call their boss and tell them about the affair and the crack they are doing together and that's when he grabbed me, he choked me, he strangled me, Why did he defend her and hurt me?" I told her I didn't know why he would do this to you and reassured her she is in safe hands now.

Minutes after my arrival Dawn Gray and Celyn Reed arrived. I did not feel safe in the house with what I heard had happened with Cat. I called my boyfriend, Kevin Do and he arrived within 5 minutes. The 4 of us sat on the floor consoling Cat, I noticed a bottle of wine on the floor, I saw Cat take 2 sips, the bottle was 3 quarters of the way full. There was an unopened bottle on the kitchen table. Dawn Gray and myself were able to take the wine into our possession. Dawn poured Cat water and she began drinking the water. While on the floor Cat sat in the middle of the 4 of us. At times she curled up in a fetal position, scooting closer to us, 1 by 1 wanting to receive love and affection.

We spent close to 15 minutes on the kitchen floor with Cat. We listened to her confess of previous abuse. "He broke my finger, my nose and I lied to you all, he did all of it to me!" she said. That is when I voiced my opinion to call the police she screamed "no!" don't do that I do not want to hurt my boys. I looked at Cat, Beth, Dawn, Celyn and with unsure glances I decided to wait. We all continued to talk and try to get Cat to agree. She was in and out of sadness, anger, shock. She said "the other night he stole my phone and was going through it, I had been talking to my friends I met in Rehab, he erased everything on my phone and I woke up to him slapping me in the face." Cat lifted up her shirt to show us more bruising on her left and right torso.

We asked Cat to get up of the floor and get fresh air, she did not want to leave the kitchen floor. We were able to convince her to walk to the garage, she smoked a cigarette and continued to sob and show us more marks on her body. She removed the Ring camera on the garage door. I glanced at Kevin and he told me to make the call. I stepped outside and called 911. When I returned I informed Cat that I called the police. She was becoming more cooperative. That is when she asked me to call Simon to make sure he was not on his way home she did not want Simon to see what was happening. I called Simon. While in the garage she said it felt like Luke had choked her for 20 seconds and she couldn't breath but she was able to get lose and leave in her vehicle.

When Police arrived, Cat was upset but more willing at that time to talk to them. Her son Simon had come home, talking to Luke on the phone, he appeared confused and upset. Cat was very worried

about Simon and did not want him to be mad at her. Simon reassured his mom he was not upset with her and that he was going to get ready for his Anniversary date he was having with his girlfriend. Simon became upset when he noticed the wine and asked if his mom had a drink today. I told him that she did have close to ½ of the bottle (750ML). Cat continued to talk with Officer Riddle and Ems that had arrived. EMS wanted to take her to the hospital she did not want to go with them and agreed to have Dawn Gray take her. EMS left and Cat went back into the house, she laid on the floor, she felt sick and sleepy. She became violently sick. Throwing up, dizzy and mentioned blurred vision. I asked officer Riddle if he could call EMS back to the house so she could safely be transported.

When Cat left I remained at the house with Dawn and Celyn. That is when Luke started a group text with Dawn, Celyn, Beth, Kevin and myself and sent us a Ring camera video of Cat entering her home. He also messaged me asking me why Simon was contacted and to leave him out. On Saturday he messaged the group chat again telling us Cat needed her support group and that she needs people around and to not leave her alone. Luke said he was driving back to a wedding to finish.

Dawn, Celyn and I discussed the events of what had happened and came up with a plan to go to the hospital with Cat. When I arrived to the hospital Dawn was sitting with Cat. Cat was sleeping and Dawn informed me that Cat had wet herself. I offered to go back to Cats house to pack her a bag so that she could change her clothes. I did not feel safe going alone, Chris Reed met me at Cats house on 13 Grant street and accompanied me inside to gather her belongings.