

6 Houlton Street
Portland, ME 04102

December 20, 2018

Julie Howard, Clerk
Cumberland County Superior Court
205 Newbury Street
Portland, ME 04101

Re: Cleveland v. City of Portland, Docket No. AP-18-61

Dear Ms. Howard:

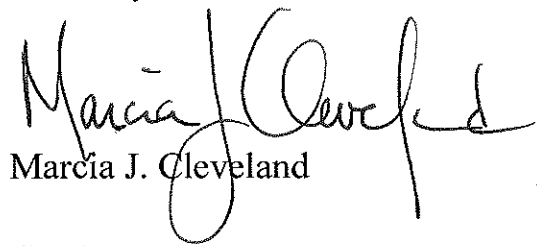
Enclosed for filing please find Plaintiffs Civil Amended Civil Summary, which includes information about the related cases. Although the original cover letter mentioned the related 80B cases, that information was omitted from the original Civil Summary.

Also enclosed is a motion pursuant to Maine R. Civ. P 80B(i) requesting an order setting future course of proceeding.

Plaintiffs also request oral argument.

Thank you for your consideration.

Sincerely,



Marcia J. Cleveland

Cc: Anne Torregrossa
Enc.

SUMMARY SHEET

M.R. Civ. P. 5(h)

This summary sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by the Maine Rules of Court or by law. This form is required for the use of the Clerk of Court for the purpose of initiating or updating the civil docket. (SEE ATTACHED INSTRUCTIONS)

I. County of Filing or District Court Jurisdiction: Cumberland (Amended 12/20/2018)

II. CAUSE OF ACTION (Cite the primary civil statutes under which you are filing, if any.)
80B; 14 M.R.S. sec.5953; 42 U.S.C. secs. 1883;1988

III. NATURE OF FILING
 Initial Complaint
 Third-Party Complaint
 Cross-Claim or Counterclaim
 If Reinstated or Reopened case, give original Docket Number _____
 (If filing a second or subsequent Money Judgment Disclosure, give docket number of first disclosure)

IV. TITLE TO REAL ESTATE IS INVOLVED

V. MOST DEFINITIVE NATURE OF ACTION. (Place an X in one box only) Check the box that most closely describes your case.

GENERAL CIVIL (CV)

<input type="checkbox"/> Personal Injury Tort	<input type="checkbox"/> Contract	<input type="checkbox"/> Other Forfeitures/Property Liabls
<input type="checkbox"/> Property Negligence	<input type="checkbox"/> Contract	<input type="checkbox"/> Land Use Enforcement (80K)
<input type="checkbox"/> Auto Negligence	<input type="checkbox"/> Declaratory/Equitable Relief	<input type="checkbox"/> Administrative Warrant
<input type="checkbox"/> Medical Malpractice	<input checked="" type="checkbox"/> General Injunctive Relief	<input type="checkbox"/> HIV Testing
<input type="checkbox"/> Product Liability	<input checked="" type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Arbitration Awards
<input type="checkbox"/> Assault/Battery	<input type="checkbox"/> Other Equitable Relief	<input type="checkbox"/> Appointment of Receiver
<input type="checkbox"/> Domestic Torts	<input type="checkbox"/> Constitutional/Civil Rights	<input type="checkbox"/> Shareholders' Derivative Actions
<input type="checkbox"/> Other Negligence	<input type="checkbox"/> Constitutional/Civil Rights	<input type="checkbox"/> Foreign Deposition
<input type="checkbox"/> Other Personal Injury Tort	<input type="checkbox"/> Statutory Actions	<input type="checkbox"/> Pre-action Discovery
<input type="checkbox"/> Non-Personal Injury Tort	<input type="checkbox"/> Unfair Trade Practices	<input type="checkbox"/> Common Law Habeas Corpus
<input type="checkbox"/> Libel/Defamation	<input type="checkbox"/> Freedom of Access	<input type="checkbox"/> Prisoner Transfers
<input type="checkbox"/> Auto Negligence	<input type="checkbox"/> Other Statutory Actions	<input type="checkbox"/> Foreign Judgments
<input type="checkbox"/> Other Negligence	<input type="checkbox"/> Miscellaneous Civil	<input type="checkbox"/> Minor Settlements
<input type="checkbox"/> Other Non-Personal Injury Tort	<input type="checkbox"/> Drug Forfeitures	<input type="checkbox"/> Other Civil

CHILD PROTECTIVE CUSTODY (PC)
 Non-DHS Protective Custody

SPECIAL ACTIONS (SA)
Money Judgment
 Money Judgment Request Disclosure

REAL ESTATE (RE)

<input type="checkbox"/> Title Actions	<input type="checkbox"/> Foreclosure	<input type="checkbox"/> Misc. Real Estate
<input type="checkbox"/> Quiet Title	<input type="checkbox"/> Foreclosure (ADR exempt)	<input type="checkbox"/> Equitable Remedies
<input type="checkbox"/> Eminent Domain	<input type="checkbox"/> Foreclosure (Diversion eligible)	<input type="checkbox"/> Mechanics Lien
<input type="checkbox"/> Easements	<input type="checkbox"/> Foreclosure - Other	<input type="checkbox"/> Partition
<input type="checkbox"/> Boundaries		<input type="checkbox"/> Adverse Possession
		<input type="checkbox"/> Nuisance
		<input type="checkbox"/> Abandoned Roads
		<input type="checkbox"/> Trespass
		<input type="checkbox"/> Other Real Estate

APPEALS (AP) (To be filed in Superior Court) (ADR exempt)

Governmental Body (80B) Administrative Agency (80C) Other Appeals

VI. M.R. Civ. P. 16B Alternative Dispute Resolution (ADR):
 I certify that pursuant to M.R. Civ. P. 16B(b), this case is exempt from a required ADR process because:
 It falls within an exemption listed above (i.e., an appeal or an action for non-payment of a note in a secured transaction).
 The plaintiff or defendant is incarcerated in a local, state or federal facility.
 The parties have participated in a statutory pre-litigation screening process with _____
 The parties have participated in a formal ADR process with _____ on _____ (date).
 This is an action in which the plaintiff's likely damages will not exceed \$50,000, and the plaintiff requests an exemption from ADR pursuant to M.R. Civ. P. 16C(g).

VII. (a) PLAINTIFFS (Name & Address including county)
or Third-Party, Counterclaim or Cross-Claim Plaintiffs
 The plaintiff is a prisoner in a local, state or federal facility.

Marcia J. Cleveland, 6 Houlton St., Portland, Cumberland Cnty, Maine

Daniel W. Paul, 6 Houlton St. Portland, Cumberland Cnty, Maine

(b) Attorneys (Name, Bar number, Firm name, Address, Telephone Number) If all counsel listed do NOT represent all plaintiffs, specify who the listed attorney(s) represent.

VIII. (a) DEFENDANTS (Name & Address including county)
and/or Third-Party, Counterclaim or Cross-Claim Defendants
 The defendant is a prisoner in a local, state or federal facility.

City of Portland, 389 Congress St., Portland, Cumberland Cnty, ME 04101

Zoning Board of Appeals, 389 Congress St., Portland, Cumberland Cnty, ME 04101

(b) Attorneys (Name, Bar number, Firm name, Address, Telephone Number) If all counsel listed do NOT represent all defendants, specify who the listed attorney(s) represents.
(If known)

Anne Torregrosa, Corporation Counsel, 389 Congress Street, Portland, ME

IX. (a) PARTIES OF INTEREST (Name & Address including county)

(b) Attorneys (Name, Bar number, Firm name, Address, Telephone Number) If all counsel listed do NOT represent all parties, specify who the listed attorney(s) represents.
(If known)

X. RELATED CASE(S) IF ANY Cleveland v. City of Portland,
Assigned Judge/Justice Andrew Horton

Docket Number Dkt. No. AP-18-09 and AP-18-13 (consolidated)

Date: December 19, 2018

Marcia J. Cleveland (pro se)

Name of Plaintiff or Lead Attorney of Record

Signature of Plaintiff or Attorney

INSTRUCTIONS FOR COMPLETING SUMMARY SHEET

- I. County of Filing / District Court Jurisdiction.** For Superior Court cases enter the county name where this complaint is being filed. For District Court cases enter the location of the District Court where this complaint is being filed.
- II. Cause of Action.** Report the civil statute directly related to the primary cause of action and give a brief description of the cause. If the cause of action is not statutorily based enter N/A.
- III. Nature of Filing.** Place an "X" in the appropriate box.
- Initial Complaint.** Check this box if the complaint is being filed as an original proceeding. A filing fee is required.
- Third-Party Complaint.** Check this box if the original defendant is filing an action against a third party, not part of the original proceeding. A filing fee is required.
- Cross-Claim or Counterclaim.** Check this box if an original defendant is filing a cross-claim against another original defendant or if an original defendant is filing a counterclaim against a party not part of the original proceeding.
- Reinstated or Reopened.** Check this box for cases reinstated or reopened in the court. Use the reopening date as the filing date. Indicate the docket number of the original proceeding. This should be filled in for Money Judgment second or subsequent Disclosures, or for post-judgment motions.
- IV. Title to Real Estate.** Place an "X" in the box if this case is not designated as Real Estate action but Title to Real Estate is involved.
- V. Most Definitive Nature of Action.** Place an "X" in the appropriate box. If the cause fits more than one nature of action, select the category that best describes the primary cause of action.
- VI.** Place an "X" in the appropriate box if the case is exempt from alternative dispute resolution as required by M. R. Civ. P. 16B.
- VII. (a) Plaintiffs, Third-Party or Counterclaim or Cross-Claim Plaintiffs.** Enter names (first, middle initial, last) of all plaintiffs and their address including county of residency. If the plaintiff is a government agency, use only the full name or standard abbreviations. If the plaintiff is an official within a government agency, identify first the agency and then the official, giving both name and title. If there are several plaintiffs, list as many plaintiffs as possible and list the additional plaintiffs on an attachment and note "(see attachment)."
- (b) Plaintiff's Attorney.** Enter firm name, attorney of record, attorney of record bar number, address and telephone number. If there are several attorneys, list as many as possible and list the additional attorneys on an attachment, noting in this section "(see attachment)." If more than one attorney is listed for a party, a lead attorney must be designated. If all counsel listed do NOT represent all plaintiffs, specify who the listed attorney(s) represent.
- VIII. (a) Defendants** Enter names (first, middle initial, last) of all defendants and their address including county of residency. If the defendant is a government agency, use only the full name or standard abbreviations. If the defendant is an official within a government agency, identify first the agency and then the official, giving both name and title. If there are several defendants, list as many defendants as possible and list the additional defendants on an attachment and note "(see attachment)".
- (b) Defendant's Attorney.** Enter firm name, attorney of record, attorney of record bar number, address and telephone number. If there are several attorneys, list as many as possible and list the additional attorneys on an attachment, noting in this section "(see attachment)." If more than one attorney is listed for a party, a lead attorney must be designated. If all counsel listed do NOT represent all defendants, specify who the listed attorney(s) represent.
- IX. (a) Parties of Interest.** Enter names (first, middle initial, last) of all parties of interest and their address including county of residency. If the party of interest is a government agency, use only the full name or standard abbreviations. If the party of interest is an official within a government agency, identify first the agency and then the official, giving both name and title. If there are several parties of interest, list as many parties of interest as possible and list the additional parties of interest on an attachment and note "(see attachment)."
- (b) Party of Interest's Attorney.** Enter firm name, attorney of record, attorney of record bar number, address and telephone number. If there are several attorneys, list as many as possible and list the additional attorneys on an attachment, noting in this section "(see attachment)." If more than one attorney is listed for a party, a lead attorney must be designated. If all counsel listed do NOT represent all parties of interest, specify who the listed attorney(s) represent.
- X. Related Cases.** This section is used to reference relating pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding justices name when appropriate for such cases.
- Date, Attorney or Pro se Party Name and Signature.** 1. Date the summary sheet. 2. Sign the summary sheet. Type or print the name of the Plaintiff or lead attorney of record. The attorney signing the filing document should sign the summary sheet. The information on the cover sheet is subject to the requirements of M. R. Civ. P. 11. The Maine Rules of Civil Procedure, and all other Court Rules, are found at: www.courts.maine.gov.