

ROBERT ROBESON

v.

DEPARTMENT OF CORRECTIONS et al.

Submitted on Briefs February 28, 2001  
Decided March 2, 2001

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER, and  
CALKINS, JJ.

MEMORANDUM OF DECISION

Robert Robeson appeals from a judgment entered in the Superior Court (Cumberland County, *Delahanty, J.*) granting the Department of Corrections' and Correctional Medical Services' motions for a summary judgment against Robeson's claim under the Whistleblowers' Protection Act. *See* 26 M.R.S.A. §§ 831-840 (1988 & Supp. 2000). Contrary to Robeson's contentions, the Superior Court did not err when it concluded that Robeson failed to raise a genuine issue of material fact to establish a causal connection between his discharge and his complaints about the record-keeping practices at Maine Correctional Center. *See DiCentes v. Michaud*, 1998 ME 227, ¶ 14, 719 A.2d 509, 514. In his M.R. Civ. P. 7(d) statement of material facts Robeson failed to offer facts to dispute several of the Department's facts, in its Rule 7(d) statement, regarding the nonretaliatory reasons for his dismissal, and the Department's facts, which were not disputed, are deemed admitted. *See Prescott v. State Tax Assessor*, 1998 ME 250, ¶ 6, 721 A.2d 169, 172.

The entry is:

Judgment affirmed.

Attorney for plaintiff:

William C. Nugent, Esq.  
P O Box 4811  
Portland, ME 04112

Attorneys for defendants:

G. Steven Rowe, Attorney General  
Christopher C. Taub, Asst. Attorney General  
6 State House Station  
Augusta, ME 04333-0006

Christopher C. Taintor, Esq.  
Norman, Hanson & DeTroy, LLC  
P O Box 4600  
Portland, ME 04112-4600  
(for Correctional Medical Services, Inc.)