

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA)
)
 v.) 1:11-cr-00073-JAW
)
AARON CHADBOURNE)

ORDER ON MOTION TO DISMISS

On May 18, 2011, Aaron Chadbourne was indicted for possession of a firearm by a person previously involuntarily committed to a mental institution, an alleged violation of 18 U.S.C. § 922(g)(4). *Indictment* (Docket # 1). On June 9, 2011, Mr. Chadbourne moved to dismiss the Indictment. *Def.'s Mot. to Dismiss Indictment* (Docket # 12). The Government responded on June 30, 2011. *Gov't's Resp. to Def.'s Mot. to Dismiss Indictment* (Docket # 17).

The Court previously addressed the same issues Mr. Chadbourne is now raising and declined to dismiss similar indictments. *United States v. Goodrich*, 767 F. Supp. 2d 205 (D. Me. 2011); *United States v. Roy*, 742 F. Supp. 2d 150, 152 (D. Me. 2010); *United States v. Burhoe*, No. CR-06-57-B-W, 2010 U.S. Dist. LEXIS 100397, at *3-6 (D. Me. Sept. 21, 2010); *United States v. Zetterman*, No. CR-09-54-B-W, 2010 U.S. Dist. LEXIS 25228, at *3-4 (D. Me. Mar. 17, 2010); *United States v. Rehlander*, 685 F. Supp. 2d 159, 162-63 (D. Me. 2010); *United States v. Small*, No. CR-09-184-B-W, 2010 U.S. Dist. LEXIS 13698, at *3-6 (D. Me. Feb. 16, 2010);

United States v. Murphy, 681 F. Supp. 2d 95, 102-04 (D. Me. 2010); *United States v. Milheron*, 231 F. Supp. 2d 376, 378-81 (D. Me. 2002). Rather than repeat itself, the Court adopts its reasoning in those decisions and therefore denies the motion to dismiss the indictment. Counsel represented that the *Rehlander* and *Small* cases are on appeal to the First Circuit Court of Appeals, were argued on May 2, 2011, and are now pending decision. *Def.'s Mot.* at 5. Accordingly, whether the Court is correct in these rulings should be shortly resolved.

The Court DENIES the Defendant's Motion to Dismiss Indictment (Docket # 12).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 15th day of July, 2011

Defendant (1)

AARON CHADBOURNE

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Plaintiff

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