Gmail **Ryan michaels <rtgmich@gmail.com>**

Formal ADA Title II Grievance – Denial of Accommodation and Access to Court Security Footage

Ryan michaels <rtgmich@gmail.com> Mon, Nov 17, 2025 at 11:52 AM
Reply-To: rtgmich@gmail.com
To: "List: Accessibility" <accessibility@courts.maine.gov>, info@courts.maine.gov
Cc: "Cardone, Barbara" <barbara.cardone@courts.maine.gov>, "Schleck, Peter" <Peter.Schleck@legislature.maine.gov>, "Kielty, Brenda" <Brenda.Kielty@maine.gov>, "opega@legislature.maine.gov" <opega@legislature.maine.gov>

To the ADA Coordinator, Maine Judicial Branch:

I am submitting this as a **formal grievance under Title II of the Americans with Disabilities Act (ADA)** and 28 C.F.R. Part 35 regarding the Maine Judicial Branch's handling and denial of my ADA accommodation request relating to access to court security footage and related procedures.

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1. Complainant Information

Name: Ryan Michaels
Location: Berwick, Maine
Status: 100% Disabled Veteran / Self-Represented Litigant
Email: rtgmich@gmail.com

My disability materially affects my ability to safely access, participate in, and navigate court proceedings.

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2. Program / Service Involved

Entity: Maine Judicial Branch – Biddeford District Court and Administrative Office of the Courts
Primary Official:
Barbara A. Cardone
Director of Legal Affairs and Public Relations

Matter: Access to preserved court security footage from **Courtroom 1 – Biddeford District Court, October 30, 2025**, during my Protection from Abuse hearing (Michaels v. Guerrero), including an incident in which a judicial marshal placed his hands on my chest and pushed me backward out of the courtroom after another marshal became verbally aggressive.

The footage is necessary to evaluate marshal conduct, document disability-related access issues, and pursue disability-related complaints.

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3. Nature of My ADA Accommodation Request

In my November 13–17, 2025 correspondence, I explicitly:

- identified myself as a **100% disabled veteran**,
- explained that the footage was needed to evaluate disability-related access barriers and marshal use of force affecting my participation in court,
- invoked **Title II of the ADA** and **28 C.F.R. Part 35**, and
- asked that my request be treated as an ADA accommodation request, including issuance of a written determination if denied.

This clearly qualifies as an ADA Title II accommodation request.

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4. Summary of Events and Responses

1. My initial request under FOAA was denied on the basis that FOAA does not apply to the Judicial Branch. I was directed to rely instead on Administrative Order **JB-15-01**.
2. I then submitted a request directly under JB-15-01 and explained that:
    - marshal misconduct was alleged,
    - there were public safety concerns,
    - disability barriers were involved, and
    - the footage was needed for review and complaints.
3. I explicitly invoked the ADA and requested a written determination under **28 C.F.R. § 35.150(a)(3)** if the accommodation was denied.
4. Ms. Cardone responded that:
    - my request “remains denied,”
    - JB-15-01 “does not mention the ADA,”
    - the Judicial Branch “cannot evaluate any request under the ADA” because I did not “disclose the nature of [my] disability,” and
    - she could only “suggest” that a subpoena “may” be an option.
5. When I asked for procedural clarity necessary for a self-represented, disabled litigant—including identification of the decision-maker, ADA Coordinator, grievance process, and specific JB-15-01 steps—Ms. Cardone ultimately stated:
   “I refer you back to my previous emails. I am not going to comment further.”
6. No written ADA determination was provided.
   No ADA Coordinator was identified.
   No grievance process was provided.
   No procedural steps under JB-15-01 were explained.

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5. ADA Concerns and Violations

I believe the Maine Judicial Branch has violated **Title II of the ADA** and 28 C.F.R. Part 35 by:

1. **Failing to recognize and process a clear ADA accommodation request.**
2. **Denying the accommodation without issuing the written determination required under 28 C.F.R. § 35.150(a)(3)**—including identification of the decision-maker and the specific reasons for the denial.
3. **Refusing to identify or provide access to an ADA Coordinator**, as required by **28 C.F.R. § 35.107**.
4. **Failing to provide any ADA grievance procedure or path to review**, effectively blocking all internal avenues of remedy.
5. **Obstructing access to the courts and to disability-related complaint processes**, by denying footage necessary to evaluate marshal conduct that directly affected my access as a disabled litigant.

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6. Prior Incident Demonstrating a Pattern (Exhibit A)

This is not the first time this has occurred.

In **September 2025**, I submitted a separate request involving administrative records and also invoked the ADA. In that matter, Ms. Cardone:

- acknowledged that the request raised ADA issues (“I will have your request reviewed as it pertains to the ADA.”),

- failed to provide any written ADA determination,
- failed to identify the ADA Coordinator or decision-maker, and
- ended the exchange with:
  "I will not be engaging further in a debate about the legal sufficiency of the response."

The same pattern of noncompliance appears again in the current incident.

This correspondence is attached as **Exhibit A**.

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7. Current Email Chain (Exhibit B)

For completeness of the record, the full email chain concerning the present matter—including the denial and refusal to provide further comment—is attached as **Exhibit B**.

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8. Requested Remedies

I respectfully request that the Maine Judicial Branch:

1. **Treat my request as a Title II ADA accommodation**, as required by law.
2. **Issue the written ADA determination required under 28 C.F.R. § 35.150(a)(3)**, including:
   - the name and title of the official who denied the accommodation, and
   - the specific reasons for the denial.
3. **Identify the Maine Judicial Branch ADA Coordinator** and provide contact information.
4. **Provide clear procedural guidance for JB-15-01**, including:
   - which steps apply,
   - the appropriate recipient, and
   - any timelines.
5. **Reconsider the denial of access to the preserved Courtroom 1 footage** as an ADA accommodation.
6. **Ensure proper training and compliance procedures** so that future ADA requests from disabled litigants are recognized, processed, and reviewed in accordance with Title II and 28 C.F.R. Part 35.

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9. Notice of Potential Further Action

Depending on the response, I may refer this matter to:

- the **U.S. Department of Justice – Civil Rights Division**,
- the **Maine Human Rights Commission**, and
- appropriate oversight and legislative bodies.

Thank you for your prompt attention. I respectfully request a written response within a reasonable time, consistent with the Judicial Branch's obligations under Title II of the ADA.

Sincerely,

Ryan Michaels
100% Disabled Veteran / Self-Represented Litigant
Berwick, ME
Email: rtgmich@gmail.com

2 attachments

Exhibit A- Gmail - Email of September 21, 2025.pdf
493K

Exhibit B- Gmail - FOAA request for court security footage.pdf
555K