

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Brice Cantrell v. Nathan Day & Paige Michaud

Cantrell · No. 2:24-cv-00246-SDN · Decided June 5, 2026

SUMMARY

The United States District Court for the District of Maine addresses Defendants’ motion for summary judgment in pro se plaintiff Brice Cantrell’s 42 U.S.C. § 1983 action against Brunswick police officers Nathan Day and Paige Michaud. The court grants summary judgment on Cantrell’s Fourth Amendment claims, his claims concerning traffic citations, a parking warning, and a no-trespass warning, but denies summary judgment on his First Amendment retaliatory-arrest claim arising from the highway incident. The document indicates that the retaliatory-arrest claim may proceed based on a disputed issue concerning whether Cantrell’s filming of police activity motivated the arrest.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	Stacey D. Neumann
JURISDICTION	United States District Court for the District of Maine
DECIDED	June 5, 2026
DOCKET	2:24-cv-00246-SDN
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought constitutional claims under 42 U.S.C. § 1983 against Brunswick police officers. Defendants moved for summary judgment and asserted qualified immunity.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the record in the light most favorable to the nonmoving party and draws reasonable inferences in that party's favor. Qualified immunity requires determining whether the alleged constitutional right was clearly established in the specific context.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Brice Cantrell v. Nathan Day, Paige Michaud

TOPICS

summary judgment

section 1983

first amendment

qualified immunity

police misconduct

PRACTICE AREAS

civil rights

constitutional law

police misconduct

civil procedure

QUESTIONS PRESENTED

1. Whether Officer Day's use of handcuffs during the June 2023 highway encounter constituted excessive force under the Fourth Amendment.
2. Whether Officer Day's detention and handcuffing of Cantrell during the highway encounter constituted an unreasonable seizure under the Fourth Amendment.
3. Whether traffic citations issued by Officers Michaud and Day supported First Amendment retaliatory-prosecution claims.
4. Whether Officer Michaud's verbal parking warning constituted an adverse action supporting a First Amendment retaliation claim.
5. Whether the no-trespass warning issued at a private business's request violated Cantrell's constitutional rights or was caused by his protected filming activity.
6. Whether Cantrell presented sufficient evidence that filming police was a substantial or motivating factor in his handcuffing or arrest during the highway incident.
7. Whether qualified immunity shielded Officer Day from the First Amendment retaliatory-arrest claim.
8. Whether probable cause for the highway-walking citation defeated Cantrell's First Amendment retaliatory-prosecution claim.

HOLDINGS

1. Officer Day's use of handcuffs was not objectively unreasonable under the undisputed circumstances and did not violate clearly established law; summary judgment was proper on the excessive-force claim.
2. The highway detention and handcuffing did not violate the Fourth Amendment because the officers had reasonable suspicion, the restraints were reasonably related to officer safety during a Terry stop, and probable cause independently supported any arrest.
3. The First Amendment retaliation claims based on the October 2023 headlight citation and June 2024 taillight citation failed because the undisputed evidence showed the equipment violations and did not establish that protected filming was the substantial or motivating cause of either citation.
4. The verbal warning concerning parking at the police station was not an adverse action sufficient to support a First Amendment retaliation claim.
5. The no-trespass warning issued at a private business's request did not state a cognizable First Amendment claim because the warning was not treated as a criminal charge or constitutional infringement and Cantrell failed to show that protected activity was its but-for cause.
6. Summary judgment was denied on Cantrell's First Amendment retaliatory-arrest claim because genuine disputes of material fact existed as to whether his filming of police was a substantial or motivating factor

in the handcuffing or arrest.

7. Qualified immunity did not warrant summary judgment on the First Amendment retaliatory-arrest claim because the right to film police in public was clearly established and the disputed facts could support a violation of that right.
8. The retaliatory-prosecution claim based on the highway-walking citation failed because probable cause for the underlying violation existed, even though a factual dispute existed concerning retaliatory motive.

KEY QUOTATIONS

“The First Amendment “prohibits government officials from subjecting an individual to retaliatory actions, including criminal prosecutions, for speaking out.””

“The Nieves exception exists to address the risk that some police officers will use their authority as a tool to suppress protected speech, rather than to enforce the law.”

“In the absence of a reasonable restriction, it is self-evident, based on first principles, that [a defendant’s] First Amendment right to film police carrying out their duties in public remained unfettered.”

FACTUAL BACKGROUND

Brice Cantrell frequently filmed police activity in and around Brunswick, Maine. During a June 2023 incident, Officer Nathan Day encountered Cantrell after observing him walk along Interstate I-295 toward a crash scene; Day handcuffed him for approximately twelve minutes, prevented him from using his phone to record, and issued a citation for walking on the highway. Cantrell also had later encounters involving traffic citations, a parking-lot warning, and a no-trespass warning. The court found probable cause or an absence of adverse action defeated those claims, but determined that disputed evidence could support an inference that Cantrell's filming motivated the handcuffing or arrest during the highway incident.

PROCEDURAL HISTORY

The court previously dismissed the Town of Brunswick, the Brunswick Police Department, Officer Paul Hansen, and Chief Scott Stewart. The court treated Plaintiff's proposed amended complaint as operative, deemed Defendants' supported statement of material facts admitted because Plaintiff failed to controvert it under the local rules, and granted summary judgment on all claims except the First Amendment retaliatory-arrest claim arising from the highway incident. Officer Michaud was dismissed as a defendant.

DISPOSITION

other

CASES CITED

- Allstate Prop. & Cas. Ins. Co. v. Jones, 704 F. Supp. 3d 253, 254 n.1 (D. Me. 2023)
- Taite v. Bridgewater State Univ., Bd. of Trs., 999 F.3d 86, 93 (1st Cir. 2021)
- Block Island Fishing, Inc. v. Rogers, 844 F.3d 358, 360 (1st Cir. 2016)

- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)
- *Ahmed v. Rosenblatt*, 118 F.3d 886, 890 (1st Cir. 1997)
- *Rodi v. S. New Eng. Sch. of Law*, 389 F.3d 5, 20 (1st Cir. 2004)
- *Morelli v. Webster*, 552 F.3d 12, 20, 23 (1st Cir. 2009)
- *Graham v. Connor*, 490 U.S. 386, 397 (1989)
- *Saucier v. Katz*, 533 U.S. 194, 202 (2001)
- *Pearson v. Callahan*, 555 U.S. 223 (2009)
- *Brosseau v. Haugen*, 543 U.S. 194, 198 (2004)
- *Hunt v. Massi*, 773 F.3d 361, 368-70 (1st Cir. 2014)
- *Beckles v. City of N.Y.*, 492 Fed. App'x 181, 183 (2d Cir. 2012)
- *Calvi v. Knox County*, 470 F.3d 422, 428 (1st Cir. 2006)
- *United States v. Trueber*, 238 F.3d 79, 91-92 (1st Cir. 2001)
- *United States v. McCarthy*, 77 F.3d 522, 529 (1st Cir. 1996)
- *Shah v. Holloway*, Civ. No. 07-10352, 2009 WL 2754406, at *9 (D. Mass. Aug. 20, 2009)
- *United States v. Maguire*, 359 F.3d 71, 77 (1st Cir. 2004)
- *United States v. Acosta-Colon*, 157 F.3d 9, 18-19 (1st Cir. 1998)
- *Beck v. Ohio*, 379 U.S. 89, 91 (1964)
- *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001)
- *Vélez-Rivera v. Agosto-Alicea*, 437 F.3d 145, 151-52 (1st Cir. 2006)
- *Hartman v. Moore*, 547 U.S. 250, 256, 260-66 (2006)
- *Gattineri v. Town of Lynnfield*, 58 F.4th 512, 514 (1st Cir. 2023)
- *Gericke v. Begin*, 753 F.3d 1, 6, 8-9 (1st Cir. 2014)
- *United States v. Beauregard*, No. 18-CR-00192, 2019 WL 2619530, at *7 (D. Me. June 26, 2019)
- *Lozman v. Riviera Beach*, 585 U.S. 87, 97 (2018)
- *Maddison v. City of Northampton*, 533 F. Supp. 3d 39, 44 (D. Mass. 2021)
- *Ahern v. O'Donnell*, 109 F.3d 809, 815 (1st Cir. 1997)
- *City of Chicago v. Morales*, 527 U.S. 41, 53 (1999)
- *Powell v. Alexander*, 391 F.3d 1, 16-17 (1st Cir. 2004)
- *Nieves v. Bartlett*, 587 U.S. 391, 402, 406-07 (2019)
- *Gonzalez v. Trevino*, 602 U.S. 653, 658 (2024)
- *Reichle v. Howards*, 566 U.S. 658, 664 (2012)
- *Ashcroft v. al-Kidd*, 563 U.S. 731, 741 (2011)
- *Barton v. Clancy*, 632 F.3d 9, 29 (1st Cir. 2011)
- *Snoeyenbos v. Curtis*, 439 F. Supp. 3d 719, 734 (E.D. Va. 2020)
- *Heck v. Humphrey*, 512 U.S. 477 (1994)
- *Waterman v. City of Taunton*, 742 F. Supp. 3d 144, 164 (D. Mass. 2024)

