

**§806. Complaint adjudged frivolous or malicious; appeal**

If following an examination it appears that an offense has not been committed or that there is not probable cause to charge the accused, on motion of the defendant the judge shall render judgment whether or not the complaint is frivolous or malicious. If the judge judges the complaint to be frivolous or malicious, the judge shall order the complainant to pay the costs of prosecution and shall issue execution in favor of the county and against the complainant for that sum and may receive and pay over those costs to the county treasurer for the use of the county and, if the costs are not paid, the judge shall return the execution to the county commissioners, for the use of the county. The complainant has the same right of appeal as in civil cases. [RR 2023, c. 2, Pt. D, §51 (COR).]

**SECTION HISTORY**

PL 1965, c. 356, §28 (AMD). RR 2023, c. 2, Pt. D, §51 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.