

JAMES C. LaBRECQUE

v.

KATHLEEN H. RIOUX

Submitted on Briefs February 24, 2011
Decided March 1, 2011

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

James C. LaBrecque appeals from a judgment of the District Court (Bangor, *R. Murray, J.*) denying his complaint on behalf of Lauriano D. LaBrecque for protection from harassment. Contrary to LaBrecque's contentions, (1) the court did not abuse its discretion in admitting the testimony of a witness who had not been sequestered during the hearing, *see State v. Cruz*, 594 A.2d 1082, 1085 (Me. 1991); and (2) viewing the evidence from the perspective most favorable to the judgment, the court did not err in holding that LaBrecque had failed to prove harassment pursuant to 5 M.R.S. § 4651(2) (2010), *see Cates v. Donahue*, 2007 ME 38, ¶ 9, 916 A.2d 941, 943 (stating standard of review).

The entry is:

Judgment affirmed.

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Kathy Rioux did not file a brief.

Bangor District Court docket number PA-2010-263
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