

RAY MORRISON

v.

JEFFREY LITTLEFIELD et al.

Submitted on Briefs April 25, 2013
Decided May 21, 2013

Panel: SAUFLEY, C.J., and ALEXANDER, SILVER, MEAD, GORMAN, and
JABAR, JJ.

MEMORANDUM OF DECISION

Ray Morrison appeals from a judgment of the Superior Court (Waldo County, *R. Murray, J.*). Because the court did not err in finding that the parties did not impliedly try the issue of unjust enrichment, it did not abuse its discretion in denying Morrison's motion to amend his pleadings pursuant to M.R. Civ. P. 15(b). *See Efstathiou v. Aspinquid, Inc.*, 2008 ME 145, ¶ 21, 956 A.2d 110; *Mercier v. Guimond*, 534 A.2d 1329, 1331 (Me. 1988).

Acknowledging the paucity of support in the record for this appeal, we nonetheless decline to impose sanctions in this case. *See* M.R. App. P. 13(f); *Estate of Dineen*, 2006 ME 108, ¶ 8, 904 A.2d 417.

The entry is:

Judgment affirmed.

On the briefs:

Mark S. Kierstead, Esq., Ferris, Gurney & Crook, P.C., Waterville, for
appellant Ray Morrison

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Joseph W. Baiungo, appellee pro se

Waldo County Superior Court docket numbers RE-2008-123, RE-2009-9
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