

CITY OF BIDDEFORD

v.

DEBORAH MILES

Submitted on Briefs July 17, 2013

Decided July 18, 2013

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

MEMORANDUM OF DECISION

Deborah Miles appeals from a judgment of the District Court (Biddeford, *Foster, J.*) concluding that she violated the City's land use ordinance and awarding the City civil penalties and attorney fees. Contrary to Miles's contentions, there was sufficient evidence to support the court's finding of her violation of the City's ordinance by a preponderance of the evidence. *See City of Bangor v. Diva's, Inc.*, 2003 ME 51, ¶ 7, 830 A.2d 898. Miles alleges numerous facts in support of her appeal that we do not consider because she did not present them to the trial court. *See Beane v. Me. Ins. Guar. Ass'n*, 2005 ME 104, ¶ 9, 880 A.2d 284 ("Our review of the merits of an appeal is limited to the facts and evidence in the record before the trial court . . . [W]e will not consider new facts, new exhibits or other material relating to the merits of the appeal that was not presented to the trial court and included in the trial court record."). We do not find Miles's remaining arguments to be persuasive.

The entry is:

Judgment affirmed.

On the briefs:

Deborah Miles, appellant pro se

Aaron P. Burns, Esq., Pearce & Dow, LLC, Portland, for appellee City of Biddeford

Biddeford District Court docket number VI-2012-00286
FOR CLERKS REFERENCE