

MARTINA SULLIVAN

v.

KELLY, REMMEL & ZIMMERMAN, P.A.

Submitted on Briefs September 23, 2014

Decided September 30, 2014

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

#### MEMORANDUM OF DECISION

Martina Sullivan appeals from the Superior Court's (Sagadahoc County, *Horton, J.*) denial of her motion for relief from judgment. *See* M.R. Civ. P. 60(b). Sullivan appealed to the Superior Court from a small claims judgment entered against her. However, Sullivan did not provide the Superior Court with a transcript of the District Court proceeding, and thus the court, having no means to review the judgment for error, denied Sullivan's appeal. *See* M.R. Civ. P. 76F. Sullivan subsequently filed a motion for relief from that denial, asking the court to re-open the appeal and allow her to file the transcript. Sullivan appeals from the court's denial of that motion.

Contrary to Sullivan's contention, we conclude that the court did not err in denying Sullivan's appeal due to her failure to provide a transcript of the small claims proceeding for its review, or in denying her motion for relief from that denial. *See Provencher v. Provencher*, 2008 ME 12, ¶ 6, 938 A.2d 821; *State v. Milliken*, 2010 ME 1, ¶ 12, 985 A.2d 1152; *Manzo v. Reynolds*, 477 A.2d 732 (Me. 1984); *Lamb v. Euclid Ambler Associates*, 563 A.2d 365 (Me. 1989).

The entry is:

Judgment affirmed.

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**On the briefs:**

Martina Sullivan, appellant pro se

Charles Remmel II, Esq., Kelly, Remmel & Zimmerman,  
Portland, for appellees Barry Zimmerman and Kelly, Remmel  
& Zimmerman