

CAPITAL ONE, N.A.

v.

MARK SCHWARZMANN et al.

Submitted on Briefs October 27, 2014

Decided October 30, 2014

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

#### MEMORANDUM OF DECISION

Mark and Christine Schwarzmans appeal from a judgment of foreclosure entered by the District Court (Rockland, *Hjelm, J.*) in favor of Capital One, N.A. Contrary to the Schwarzmans' contention, on this record the court did not err in finding that Capital One owned their promissory note and was entitled to enforce its terms. *See Bank of America, N.A. v. Greenleaf*, 2014 ME 89, ¶ 10, 96 A.3d 700; *U.S. Bank, N.A. v. Thomes*, 2013 ME 60, ¶ 11, 69 A.3d 411. Furthermore, the court's calculation of the amount due on the note was not clearly erroneous. *See Gordon v. Cheskin*, 2013 ME 113, ¶ 12, 82 A.3d 1221 (stating that the trial court's factual findings are reviewed for clear error, and "must stand if they are supported by any competent evidence in the record").

The entry is:

Judgment affirmed.

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**On the briefs:**

Mark A. Coursey, Esq., Elliott & MacLean, LLP, Camden, for appellants  
Mark and Christine Schwarzmann

Jonathan M. Flagg, Esq., Flagg Law, PLLC, Portsmouth, New Hampshire,  
for appellee Capital One, N.A.

Rockland District Court docket number RE-2012-52  
FOR CLERK REFERENCE ONLY