

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE
INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR15, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES 2006-AR15 UNDER THE
POOLING AND SERVICING AGREEMENT DATED MAY 1, 2006

v.

JAMES L. PECK et al.

Submitted on Briefs October 27, 2014
Decided October 30, 2014

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

MEMORANDUM OF DECISION

James L. Peck appeals from a judgment of foreclosure entered by the District Court (York, *Janelle, J.*) following a nonjury trial. Contrary to Peck's contentions, the court's amended judgment following the plaintiff's motion pursuant to M.R. Civ. P. 60(a) to fix a clerical mistake—the wrong name of the plaintiff in the original judgment—did not restart the time in which to appeal. *See City of Lewiston v. Me. State Emps. Ass'n*, 638 A.2d 739, 742 (Me. 1994) (“[W]here an amendment relates solely to the correction of a clerical or formal error in a judgment it does not toll the time for appeal.” (quotation marks omitted)). Peck's appeal is therefore untimely. *See* M.R. App. P. 2(b)(3).

The entry is:

Appeal dismissed.

On the briefs:

Elliott R. Teel, Esq., Teel Law Office, Portland, for appellant
James L. Peck

Elizabeth M. Lacombe, Esq., Bendett & McHugh, P.C., Farmington,
Connecticut, for appellee Deutsche Bank National Trust Company, As
Trustee of the IndyMac Indx Mortgage Loan Trust 2006-AR15, Mortgage
Pass-Through Certificates, Series 2006-AR15 Under The Pooling And
Servicing Agreement Dated May 1, 2006

York District Court docket number RE-2009-146
FOR CLERK REFERENCE ONLY