

THE BANK OF NEW YORK MELLON

v.

BEVERLY A. LAVIGNE

Submitted on Briefs December 18, 2014  
Decided December 31, 2014

Panel: ALEXANDER, MEAD, GORMAN, JABAR, and HJELM, JJ.

MEMORANDUM OF DECISION

Beverly A. Lavigne appeals from a judgment of the District Court (Biddeford, *Foster, J.*) denying her motion for relief from the 2013 judgment of foreclosure issued by the court (*Driscoll, J.*) on The Bank of New York Mellon's<sup>1</sup> complaint, which judgment we affirmed in *The Bank of New York Mellon v. Lavigne*, Mem-14-19 (Feb. 4, 2014). Contrary to Lavigne's contentions, we discern no abuse of discretion that works a plain and unmistakable injustice against Lavigne by the court's denial of her motion for relief from the judgment. *See* M.R. Civ. P. 60(b); *The Cote Corp. v. Kelley Earthworks, Inc.*, 2014 ME 93, ¶ 14, 97 A.3d 127.

The entry is:

Judgment affirmed.

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<sup>1</sup> The Bank of New York Mellon is formerly known as The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS-2006-FA1, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, of Irving, County of Dallas and State of Texas.

**On the briefs:**

Beverly A. Lavigne, appellant pro se

Paula-Lee Chambers, Esq., Hinshaw & Culbertson LLP,  
Boston, Massachusetts, for appellee Bank of New York Mellon

Biddeford District Court docket number RE-2010-213  
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