

JULIA M. PECK

v.

COLIN PECK et al.

Submitted on Briefs December 13, 2013

Decided January 7, 2014

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

MEMORANDUM OF DECISION

Julia M. Peck appeals from a judgment entered in the District Court (*Stanfill, J.*) and affirmed by the Superior Court (Franklin, *Murphy J.*) granting Colin and Carola Peck possession of property in the Town of Industry pursuant to a forcible entry and detainer action. *See* 14 M.R.S. § 6001(1) (2012). Contrary to Julia's contention, the trial court did not err in finding that Julia was a tenant at will whose tenancy had been lawfully terminated and was not a disseisor who acquired a claim by possession and improvement. *See Frost Vacationland Props., Inc. v. Palmer*, 1999 ME 15, ¶¶ 9-13, 723 A.2d 418. Further, the court did not err in finding that neither promissory estoppel nor a constructive trust would defeat the forcible entry and detainer action. *See Harvey v. Dow*, 2008 ME 192, ¶ 11, 962 A.2d 322; *Cassidy v. Cassidy*, 2009 ME 105, ¶ 8, 982 A.2d 326.

The entry is:

Judgment affirmed.

On the briefs:

Julia M. Peck, pro se appellant

Kevin M. Joyce, Esq., Joyce, David & Hanstein, P.A., Farmington, for
appellee Colin Peck

Franklin County Superior Court docket number AP-2012-6
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