

ANIMAL WELFARE PROGRAM

v.

MICHAEL J. MONK

Submitted on Briefs January 28, 2014

Decided February 18, 2014

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

MEMORANDUM OF DECISION

Michael J. Monk appeals from a judgment entered in the District Court (Biddeford, *Driscoll, J.*) declaring Monk's horse forfeited to the Maine Animal Welfare Program pursuant to 17 M.R.S. § 1021(5-A) (2013).

Contrary to Monk's contentions, the court did not abuse its discretion in admitting evidence of rain rot on Monk's horse. *See Bray v. Grindle*, 2002 ME 130, ¶ 10, 802 A.2d 1004. Nor did the court err in limiting the presentation of the case to two hours. *See* M.R. Evid. 611(a) (permitting the court to exercise reasonable control over the interrogation of witnesses and presentation of evidence so as to "avoid needless consumption of time"); *Dolliver v. Dolliver*, 2001 ME 144, ¶ 10, 782 A.2d 316 ("A trial court has broad discretion to control the order and timing of presentation of evidence and to set and enforce reasonable time limits on testimonial hearings.") Further, viewing the evidence in the light most favorable to the judgment, ample evidence supported the court's finding that Monk failed to provide adequate sustenance, necessary medical care, proper shelter, and humanely clean conditions for the horse. *See Withers v. Hackett*, 1998 ME 164, ¶ 7, 714 A.2d 798. We find no merit in Monk's remaining arguments, which he did not preserve for appeal, and which we do not address separately.

The entry is:

Judgment affirmed.

On the briefs:

Michael J. Monk, pro se appellant

Kathryn Loftus Slattery, District Attorney, and Anne Marie Pazar, Esq.,
Prosecutorial District #1, Alfred, for appellee State of Maine