

NATIONSTAR MORTGAGE, LLC

v.

SHARON M. SIMPSON

Argued December 8, 2015  
Decided December 17, 2015

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

MEMORANDUM OF DECISION

Nationstar Mortgage, LLC, appeals from a foreclosure judgment of the District Court (Wiscasset, *Ende, J.*) in favor of Sharon M. Simpson on the basis that Nationstar lacked standing to maintain the action. We affirm the District Court's finding that Nationstar lacked standing because Nationstar failed to demonstrate that it owned the mortgage securing Simpson's debt. *See Bank of Am., N.A. v. Greenleaf*, 2014 ME 89, ¶¶ 16-17, 96 A.3d 700. Despite finding that Nationstar lacked standing, however, the District Court incorrectly entered what purports to be a final judgment on the merits. *See Homeward Residential, Inc. v. Gregor*, 2015 ME 108, ¶ 24, 122 A.3d 947. Because Nationstar lacked standing to litigate the action to judgment, we vacate the judgment and remand for entry of a dismissal of the action without prejudice. *See id.*

The entry is:

Judgment vacated. Remanded for entry of  
dismissal without prejudice.

---

**On the briefs:**

John Doonan, Esq., and Jenai Cormier, Esq., Doonan, Graves & Longoria, LLC, Beverly, Massachusetts, for appellant Nationstar Mortgage, LLC

Frank D'Alessandro, Esq., Pine Tree Legal Assistance, Portland, for appellee Sharon M. Simpson

**At oral argument:**

John Doonan, Esq., for appellant Nationstar Mortgage, LLC

Frank D'Alessandro, Esq., for appellee Sharon M. Simpson