

IN RE JOSEPHINE S. STONE TRUST

Argued May 4, 2016
Decided May 12, 2016

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

MEMORANDUM OF DECISION

Douglas T. Stone appeals from a judgment of the Cumberland County Probate Court (*Mazziotti, J.*) declaring that David E. Stone and Karla J. Horecky are the sole current beneficiaries of the Josephine S. Stone Trust. Contrary to Douglas's argument, the court did not err in finding that, pursuant to the unambiguous terms of the trust, he was not a "natural born" child of David S. Stone, and therefore was not a beneficiary. *See Fiduciary Tr. Co. v. Wheeler*, 2016 ME 26, ¶ 9, --- A.3d ---; *In re Estate of Wilson*, 2003 ME 92, ¶ 11, 828 A.2d 784; 18-B M.R.S. § 112 (2015); Black's Law Dictionary 291 (10th ed. 2014) (defining "natural child" as "[a] child by birth, as distinguished from an adopted child").

The entry is:

Judgment affirmed.

On the briefs and at oral argument:

Shane T. Wright, Esq., Norman, Hanson & Detroy, LLC,
Lewiston, for appellant Douglas Stone

Justin D. LeBlanc, Esq., LeBlanc & Young, Portland, for
appellees David E. Stone and Karla J. Horecky

Cumberland County Probate Court docket number 2015-0656
FOR CLERK REFERENCE ONLY