

ONEWEST BANK, FSB

v.

WILLIAM P. KEEFE et al.

Submitted on Briefs February 23, 2017  
Decided March 2, 2017

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

#### MEMORANDUM OF DECISION

Kellie A. Keefe and William P. Keefe appeal from a judgment of the Superior Court (Cumberland County, *Mills, J.*) denying as untimely, among other motions, their motion to alter or amend the court's judgment dismissing Onewest Bank, FSB's ("Onewest") foreclosure complaint naming the Keefes as defendants. Although we agree with the Keefes that their motions were timely filed, pursuant to our holdings in *Bank of Am., N.A. v. Greenleaf*, 2014 ME 89, 96 A.3d 700 and *CitiMortgage, Inc. v. Chartier*, 2015 ME 17, 11 A.3d 39, because Onewest lacks standing in the underlying foreclosure action, *see Nemon v. Summit Floors, Inc.*, 520 A.2d 1310, 1312 (Me. 1987) ("We will entertain a question of standing at any time."), we affirm the court's denial of the Keefes' motions. Onewest's claim was properly dismissed by the Superior Court on November 16, 2015, a deadline which the court clearly indicated to the Keefes would be their final opportunity to file a response to Onewest's motion to dismiss.

The entry is:

Judgment affirmed.

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Kellie A. Keefe and William P. Keefe, appellants pro se

John Michael Ney, Jr., Esq., Pawtucket, Rhode Island, for appellee Onewest Bank, FSB

Cumberland County Superior Court docket number RE-2013-229  
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