

FEDERAL NATIONAL MORTGAGE ASSOCIATION

v.

SARAH A. LYONS et al.

Submitted on Briefs October 24, 2019

Decided October 31, 2019

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

MEMORANDUM OF DECISION

Sarah A. Lyons appeals from an order of the District Court (Lewiston, *Lawrence, J.*) denying her special motion to dismiss Federal National Mortgage Association's complaint for foreclosure pursuant to Maine's anti-SLAPP statute. 14 M.R.S. § 556 (2018).¹ Contrary to Lyons's contention, the court did not abuse its discretion when it denied her special motion because the motion was filed more than six months after the statutory sixty-day period and Lyons did not present any justification, "consistent with the purposes of the anti-SLAPP statute," to warrant the court's exercise of its discretion to accept such a late filing of her motion. *See Bradbury v. City of Eastport*, 2013 ME 72, ¶ 14, 72 A.3d 512 (when a court declines to permit a special motion after the sixty-day statutory period, "a court need not consider the merits of the motion or find that the nonmoving party would be prejudiced").

¹ The anti-SLAPP statute is "designed to guard against meritless lawsuits brought with the intention of chilling or deterring the free exercise of the defendant's First Amendment right to petition the government by threatening would-be activists with litigation costs." *Schelling v. Lindell*, 2008 ME 59, ¶ 6, 942 A.2d 1226.

The entry is:

Judgment affirmed.

Sarah A. Lyons, appellant pro se

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Massachusetts, for appellee Federal National Mortgage Association

Lewiston District Court docket number RE-2018-8
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