

WILLIAM S. JORDAN

v.

DALE L. TEMM

Submitted on Briefs April 24, 2019
Decided May 9, 2019

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

MEMORANDUM OF DECISION

William S. Jordan appeals from a judgment of the Superior Court (Cumberland County, *Horton, J.*) determining that he failed to carry his burden of proof in his action to quiet title to real property in Scarborough, Maine. *See* 14 M.R.S. § 6651 (2018). Contrary to Jordan’s contentions, the deed at issue is ambiguous on its face, *see Sleeper v. Loring*, 2013 ME 112, ¶¶ 12-13, 83 A.3d 769, and because Jordan failed to present any evidence that would allow the court to resolve that ambiguity, the court did not err by finding that he failed to prove better title than Dale L. Temm, *see Hodgson v. Campbell*, 411 A.2d 667, 671 (Me. 1980) (“[T]he plaintiff in a quiet title action has the burden of proving better title than that of the defendant”), with the result being that the court did not determine which of the parties owns the land in dispute.

The entry is:

Judgment affirmed.

2

Erika L. Frank, Esq., Law Office of Erika L. Frank, Esq., Windham, for appellant
William S. Jordan

Dale L. Temm did not file a brief

Cumberland County Superior Court docket number RE-2017-156
FOR CLERK REFERENCE ONLY