

PAT DOE

v.

ZACKARY P. MOORE

Submitted on Briefs September 27, 2023
Decided October 5, 2023

Panel: MEAD, JABAR, CONNORS, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Zackary P. Moore appeals from a judgment of the District Court (Farmington, *Davis, C.J.*) denying his motion for relief from a judgment granting Pat Doe's motion to extend and modify a protection from abuse order. *See* M.R. Civ. P. 60(b)(1). Contrary to Moore's contentions, the court did not abuse its discretion in denying Moore's motion after finding that Moore failed to establish that his failure to appear for the final hearing was a result of excusable neglect. *See Haskell v. Haskell*, 2017 ME 91, ¶¶ 11-15, 160 A.3d 1176 (reviewing the denial of motion for relief from judgment for abuse of discretion); *A. Dean Corp. v. White*, 429 A.2d 1010, 1011 (Me. 1981) (requiring a defaulted party to adduce the facts showing a reasonable excuse); *Brouillard v. Allen*, 619 A.2d 988, 990 (Me. 1993) (stating that both the party and the party's attorney are responsible for preventing neglect).

The entry is:

Judgment affirmed.

Zachary Brandmeir, Esq., Bangor, for appellant Zackary P. Moore

Pat Doe did not file a brief

Farmington District Court docket number PA-2020-46
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