

PEOPLESCHOICE CREDIT UNION

v.

JOLEEN M. MITCHELL et al.

Submitted on Briefs October 18, 2023  
Decided October 26, 2023

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON, CONNORS, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Joleen M. Mitchell appeals from a summary judgment of foreclosure entered by the Superior Court (Cumberland County, *O'Neil, J.*) in favor of PeoplesChoice Credit Union concerning Mitchell's real property.<sup>1</sup> Contrary to Mitchell's contentions, Mitchell's response to the summary judgment motion was insufficient to generate a genuine dispute of material fact that would warrant denying summary judgment. *See Janusz v. Bacon*, 2022 ME 57, ¶¶ 7-8, 285 A.3d 288; M.R. Civ. P. 56(h)(2). Further, the court did not err in concluding that PeoplesChoice Credit Union had proved each element necessary for foreclosure and was entitled to judgment as a matter of law. *See* M.R. Civ. P. 56(j); *Ocean Communities Fed. Credit Union v. Roberge*, 2016 ME 118, ¶¶ 6-14, 144 A.3d 1178; 14 M.R.S. § 6111(1)-(1-A) (2023).

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<sup>1</sup> Mitchell contends the Leviticus 25:23 Christian Trust is also an appellant and that she is entitled to represent the Trust as its trustee. However, the notice of appeal unambiguously demonstrates that only Mitchell appealed, not the Trust and not Mitchell as trustee. Therefore, because the Trust did not appeal, we find it unnecessary to determine whether Mitchell has standing on appeal to represent the Trust as a nonlawyer trustee.

The entry is:

Judgment affirmed.

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Joleen M. Mitchell, appellant pro se

Christopher L. Brooks, Esq., and Esther A. Labrado, Esq., Drummond Woodsum,  
Portland, for appellee PeoplesChoice Credit Union

Cumberland County Superior Court docket number RE-2022-83  
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