

FARHIYA H. ALI

v.

SALAT MOHAMED et al.

Submitted on Briefs September 27, 2023
Decided October 26, 2023

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

MEMORANDUM OF DECISION

Salat Mohamed appeals from a divorce judgment of the District Court (Lewiston, *Archer, J.*) entered after the court granted his attorney's motion to withdraw and denied his oral motion for a continuance on the day of trial. *See* M.R. Civ. P. 89(a); M.R. Civ. P. 40. He argues on appeal that the trial court abused its discretion when it granted the motion to withdraw and denied the motion for a continuance.

When the court granted the motion to withdraw and denied a continuance, Mohamed decided to leave and did not participate in the trial at all. Therefore, contrary to Mohamed's contentions and regardless of whether the court abused its discretion, he has waived any claim of resulting prejudice. *See In re Children of Benjamin W.*, 2019 ME 147, ¶¶ 9-13, 216 A.3d 901; *In re Joshua B.*, 2001 ME 115, ¶ 10, 776 A.2d 1240 ("Any party claiming error must demonstrate prejudice from the error.").

The entry is:

Judgment affirmed.

Joe Lewis, Esq., Port City Legal, Portland, for appellant Salat Mohamed

Jenny Anderson, Esq., Pine Tree Legal Assistance, Lewiston, and Maris Hubbard, Esq., Pine Tree Legal Assistance, Portland, for appellee Farhiya H. Ali

Aaron M. Frey, Attorney General, and N. Laine Godin, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Lewiston District Court docket number FM-2021-243
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