

R.A.S. COMMERCIAL SERVICES, INC.

v.

JOLEEN M. MITCHELL et al.

Submitted on Briefs December 28, 2022
Decided January 5, 2023

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

MEMORANDUM OF DECISION

Joleen M. Mitchell appeals from a judgment entered by the Superior Court (Cumberland County, *MG Kennedy, J.*) on a complaint filed by R.A.S. Commercial Services, Inc., in a contract dispute. Mitchell contends that the trial court abused its discretion by entering a default judgment in favor of R.A.S. and dismissing her counterclaims with prejudice as a sanction for her repeated failures to comply with court orders.¹ Contrary to Mitchell's assertions, the trial court acted well within its discretion by entering a default judgment in favor of R.A.S. and dismissing her counterclaims. *See Unifund CCR Partners v. Demers*, 2009 ME 19, ¶¶ 8-13, 966 A.2d 400; *Terjelian v. Concord Group Ins. Co.*, 606 A.2d 197, 198 (Me. 1992); *Pelletier v. Pathiraja*, 519 A.2d 187, 189-90 (Me. 1986); M.R. Civ. P. 16(d), 37(b)(2)(C), (d).

The entry is:

Judgment affirmed.

¹ Mitchell also makes various due process arguments, all of which are without merit and will not be discussed further.

Joleen M. Mitchell, appellant pro se

Kenneth D. Pierce, Esq., Monaghan Leahy, LLP, Portland, for appellee R.A.S.
Commercial Services

Cumberland County Superior Court docket number RE-2019-111
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