

PETER CHIEN et al.

v.

SCOTT E. JARRETT et al.

Submitted on Briefs February 22, 2023  
Decided March 2, 2023

Panel: MEAD, JABAR, HORTON, CONNORS, and LAWRENCE, JJ.

## MEMORANDUM OF DECISION

Peter Chien and Michael Donatelli appeal from a judgment entered by the Superior Court (York County, *Mulhern, J.*) denying their motions for relief from judgment after the trial court dismissed their complaint against Scott E. Jarrett, Christopher Greenwood, Stephen Broy, Dana M. Kelley, Rod Belanger, and the Town of Old Orchard Beach, asserting various tort and civil rights claims. *See* M.R. Civ. P. 60(b)(1)-(2). Chien and Donatelli make numerous arguments on appeal, most of which are based on a misapprehension of the Maine Rules of Civil Procedure. We find no merit in their arguments. The trial court properly exercised its considerable discretion in denying their motions for relief from judgment where Chien and Donatelli failed to demonstrate that their failure to monitor their case and comply with court orders was the result of excusable neglect. *See Moulton v. Brown*, 627 A.2d 521, 523 (Me. 1993); *McKeen & Assocs. v. Dep't of Transp.*, 1997 ME 73, ¶ 4, 692 A.2d 924; M.R. Civ. P. 6, 60(b)(1)-(2).

The entry is:

Judgment affirmed.

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Peter Chien, appellant pro se

Michael Donatelli, appellant pro se

John J. Wall, III, Esq., Monaghan Leahy, LLP, Portland, for appellees Scott E. Jarrett et al.

York County Superior Court docket number CV-2019-115  
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