

LAURIER FLEURY

v.

RICHARD BRANN
d/b/a WATER STREET BOOK & VIDEO

Submitted on Briefs January 31, 2001
Decided February 9, 2001

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

Richard Brann appeals from the judgment of the Superior Court (Kennebec County, *Marden, J.*) affirming the judgment of the District Court (Augusta, *Anderson, J.*) granting Laurier Fleury possession of premises located on Water Street in Augusta. Contrary to Brann's sole assertion that Fleury was not entitled to maintain a forcible entry and detainer action against Brann because the thirty-day notice to quit erroneously referred to a tenancy-at-will, the judgment for possession of the premises was appropriate. Brann's tenancy was based upon a holdover clause in a written lease providing for termination upon thirty days' notice, and the process of forcible entry and detainer may be maintained against a tenant holding under a written lease. *See* 14 M.R.S.A. § 6001(1) (Supp. 2000).

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Eric S. Dick, Esq.
Farris, Foley & Dick, P.A.
88 Winthrop Street
Augusta, ME 04330-5595

Attorney for defendant:

C.H. Spurling, Esq.
Spurling Law Offices
2 Church Street
Gardniner, ME 04345