

RICHARD BURDICK

v.

STATE OF MAINE

Submitted on Briefs September 26, 2002
Decided September 30, 2002

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

MEMORANDUM OF DECISION

Richard Burdick appeals from a decision of the Superior Court (Knox County, *Atwood, J.*) denying his application for waiver of filing fees and service costs pursuant to M.R. Civ. P. 91. Burdick asserts he has a constitutional right to bring his action and have a jury trial on the matter, without paying fees.

Burdick filed a complaint seeking to have the Maine Governmental Facilities Authority Act, 4 M.R.S.A. §§ 1601-1620 (Supp. 2001), declared unconstitutional. With his complaint, Burdick filed a M.R. Civ. P. 91(b) & (c) application to waive payment of filing fees and service costs. The court denied the application finding that “the applicant is not proceeding in good faith” and “the complaint is frivolous.” Burdick then brought this appeal. Burdick’s complaint does not address any particularized injury to give him standing. *See*

Collins v. State, 2000 ME 85, ¶ 5, 750 A.2d 1257, 1260. The Superior Court correctly found the complaint frivolous.

The entry is:

Judgment affirmed.

For plaintiff:

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Defendant did not file a brief.