

NEIL L. WEINSTEIN

v.

CHARLES BONNEY

Submitted on Briefs November 26, 2002  
Decided January 23, 2003

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

#### MEMORANDUM OF DECISION

Charles Bonney appeals from a summary judgment entered in the Superior Court (York County, *Brennan, J.*) in favor of Neil Weinstein. After the Superior Court granted the motion, it directed the clerk to schedule a hearing on damages. Bonney filed his notice of appeal prior to the hearing. Because Bonney's appeal is therefore not from a final judgment, and is interlocutory, the appeal must be dismissed. *See Bates v. Eckhardt Telecomms., Inc.*, 2002 ME 69, ¶¶ 4-5, 794 A.2d 648, 650.

The entry is:

Appeal dismissed.

For plaintiff:

Neal L. Weinstein  
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For defendant:

Charles Bonney  
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Scarborough, ME 04074