

PAUL ACKERMAN

v.

MARGARET K. ACKERMAN

Submitted on Briefs July 9, 2003
Decided July 16, 2003

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

MEMORANDUM OF DECISION

Paul Ackerman appeals from an order entered in the District Court (Rockland, *Worth, J.*) denying his motion for entry of a divorce judgment based upon an oral-settlement agreement that the parties placed on the record during a pretrial hearing. Ackerman asserts the oral agreement was adequate to support entry of the divorce judgment and, therefore, the court erred by denying his motion.

Ackerman does not appeal from a final judgment, however, because the court's order does not resolve the litigation. *See Murphy v. Maddaus*, 2002 ME

24, ¶ 12, 789 A.2d 1281, 1285 (“A fundamental criterion to discern ‘interlocutoriness’ from ‘finality’ is whether the court action ‘fully decides and disposes of the whole cause leaving no further questions for future consideration and judgment by the Court.’”) (quoting *Allen v. Cole Realty, Inc.*, 325 A.2d 19, 21 (Me. 1974) (internal quotation and citation omitted)). Moreover, this appeal does not fall within an exception to the final judgment rule. *See Musson v. Godley*, 1999 ME 193, ¶¶ 5-6, 742 A.2d 479, 481 (“We have provided for a few narrow exceptions to the rule but have limited their application to extraordinary situations.”); *United States Dep’t of Agric., Rural Hous. Serv. v. Carter*, 2002 ME 103, ¶¶ 7-13, 799 A.2d 1232, 1234-36 (discussing the applicability of the collateral order, death knell, and judicial economy exceptions). Accordingly, Ackerman’s appeal is premature and not ripe for appellate review. *See Musson*, 1999 ME 193, ¶ 5, 742 A.2d at 481.

The entry is:

Appeal dismissed.

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