

JOHN R. DUNN

v.

PRISCILLA W. DUNN

Submitted on Briefs March 14, 2003  
Decided March 31, 2003

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

MEMORANDUM OF DECISION

John R. Dunn appeals from a denial of his motion to vacate a judgment entered in District Court (*Augusta, French, J.*), dismissing his small claims action. Because an aggrieved party may file an appeal of a judgment of the District Court in a small claims action only to the Superior Court in the county in which the division of the District Court entering judgment is located, M.R.S.C.P. 11(a), Dunn's appeal is not properly before this court.<sup>1</sup>

The entry is:

Appeal dismissed

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<sup>1</sup> Even if this matter had been properly before this court, the District Court did not abuse its discretion in denying Dunn's motion, *see* M.R. Civ. P. 60(b), and, therefore, the judgment would have been affirmed.

For the appellant:

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