

MICHAEL A. ANDERSON

v.

RICHARD B. ROMANELLI

Submitted on Briefs May 29, 2003
Decided June 23, 2003

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

MEMORANDUM OF DECISION

Richard B. Romanelli appeals from a judgment entered in the Superior Court (Washington County, *Mead, J.*) in favor of Michael A. Anderson following the entry of a default, the denial of a motion to set aside the default (*Mills, C.J.*), and a hearing on damages. Contrary to the contentions of Romanelli, the Superior Court did not act beyond its discretion when it denied Romanelli's motion to set aside the default, *see Theriault v. Gauthier*, 634 A.2d 1255, 1256 (Me. 1993); and there was no error in the court's conclusion that there was no good cause to set aside the default pursuant to M.R. Civ. P. 55(c), when Romanelli had actual notice of the

lawsuit on or before May 26, 2002, and did not file an answer until July 11, 2002, *see Truman v. Browne*, 2001 ME 182, ¶ 9, 788 A.2d 168, 170.

The entry is:

Judgment affirmed.

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