

SCOTTY THYNG

v.

MBNA AMERICA et al.

Submitted on Briefs October 6, 2004

Decided November 1, 2004

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

MEMORANDUM OF DECISION

Scotty Thyng appeals from a judgment entered by the Superior Court (York County, *Brennan, J.*) affirming a judgment of the District Court (York, *Wheeler, J.*) in favor of defendants MBNA America and Tom Casey. Thyng contends that there was sufficient evidence and that he presented sufficient legal arguments to support his claim for damages arising out of adverse credit reports by MBNA, and that in ruling as it did, the court demonstrated bias against him. Thyng has presented an insufficient appendix and no transcript or statement of the evidence of the small claims proceeding. Without a transcript or a statement of the evidence approved by the court, pursuant to M.R. App. P. 5(d), we must assume that there was sufficient evidence to support the factual findings and discretionary

determinations reached by the trial court. *Alley v. Alley*, 2002 ME 162, ¶ 2, 809 A.2d 1262, 1262.

The entry is:

Judgment affirmed.

For plaintiff:

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