

DANIEL BIRT

v.

TOWN OF EAST MILLINOCKET

Submitted on Briefs December 8, 2004  
Decided January 13, 2005

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

MEMORANDUM OF DECISION

Daniel Birt appeals from a judgment of the Superior Court (Penobscot County, *Hjelm, J.*) dismissing, on grounds of mootness, his complaint against the Town of East Millinocket. Because Birt's appeal was filed nearly seven months after his complaint was dismissed in the Superior Court, pursuant to M.R. App. P. 2(b)(3), his appeal must be dismissed as untimely. M.R. App. P. 4(c).

The entry is:

Appeal dismissed.

---

**For plaintiff:**

Daniel Birt  
15 Maple Street, Box 261  
East Millinocket, ME 04430-0261

**Attorneys for defendant:**

Dean A. Beaupain, Esq.  
Michael P. Harman, Esq.  
Dean A. Beaupain, LLC  
4 Hill Street  
Millinocket, ME 04462