BETH M. JELIN

v.

FREDERICK T. JELIN

Submitted on Briefs December 13, 2005
Decided December 19, 2005

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

MEMORANDUM OF DECISION

Frederick T. Jelin appeals from the dismissal of his motion for a new trial and the denial of his motions for extension of time to file a motion for a new trial, and for extension of time to file a notice of appeal, by the District Court (Biddeford, *Horton, J.* and *Foster, J.*). These motions arose after the entry of a judgment in the District Court (*Horton, J.*) resolving issues of parental rights, child support, spousal support, and property division following the entry of a divorce judgment in California. Contrary to Frederick's contentions, his notice of appeal was not timely filed and the court did not abuse its discretion in twice refusing to extend the time for filing an appeal because Frederick failed to establish good

cause for the delays. M.R. App. P. 2(b)(5) & Advisory Note to Jan. 2004 amend., Alexander, *Maine Appellate Practice* at 30-31 (2004) (incorporating the "good cause" standard applicable to motions to set aside default judgments into Rule 2(b)(5)(A)); *Crossley v. Taylor*, 2004 ME 37, ¶ 5, 845 A.2d 574, 575 (reviewing a Rule 2(b)(5)(A) ruling for abuse of discretion); *see also Ireland v. Carpenter*, 2005 ME 98, ¶¶ 13-14, 879 A.2d 35, 39 (defining the "good cause" standard applicable to motions to set aside default judgments). In the absence of a timely notice of appeal, we must dismiss this appeal. *See Lussier v. Oxford Dev. Assocs.*, 1997 ME 117, ¶ 5, 695 A.2d 1188, 1189-90 (stating that strict compliance with the time limit for filing an appeal is a prerequisite to our entertaining an appeal).

     The entry is:

          Appeal dismissed.

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