

PAULA PROVOST et al.

v.

PAULINE MOORE

Submitted on Briefs January 10, 2005

Decided January 31, 2005

Panel: CLIFFORD, RUDMAN, DANA, and ALEXANDER, JJ.

#### MEMORANDUM OF DECISION

Pauline Moore, d/b/a Eastern Point, appeals from a default judgment entered in the District Court (Springvale, *Janelle, J.*) in favor of Paula Provost and Fred Provost. Because Moore has appealed directly from the entry of a default judgment, and did not file either a motion pursuant to M.R. Civ. P. 55(c) to set aside the entry of the judgment, or a motion pursuant to M.R. Civ. P. 60(b) for relief from the default judgment, her appeal must be dismissed; *see Rossignol v. Raynes*, 650 A.2d 935, 937 (Me. 1994) (“Rule 55(c) and Rule 60(b) provide the only basis for the review of a default judgment”); *Fleet Mortgage Corp. v. Cobb*, 611 A.2d 565, 566 (Me. 1992) (proper procedure after entry of default judgment

“is to move to vacate the judgment and, if necessary, appeal from the denial of such motion”) (internal quotations omitted). Moreover, because Moore did not follow the procedural requirements, we review the default judgment for obvious error, *see Fleet Mortgage Corp.*, 611 A.2d at 566, and we find no such error.

The entry is:

Appeal dismissed.

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