

LUIS ARESTIGUETA

v.

PORTLAND RINK REALTY

Submitted on Briefs December 16, 2004

Decided January 7, 2005

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

MEMORANDUM OF DECISION

Luis Arestigueta appeals from a decision entered in the Superior Court (Cumberland County, *Cole, J.*), which denied his request for a continuance and ultimately dismissed his negligence action against Portland Rink Realty. Contrary to Arestigueta's contentions, it was within the court's discretion to both deny his motion for a continuance, *Wellstone Partners v. J & M Construction Co.*, 581 A.2d 789, 792 (Me. 1990); M.R. Civ. P. 40(c), and dismiss his suit for failure to appear at trial, *Westbrook v. Wallace*, 478 A.2d 687, 689 (Me. 1984).

The entry is:

Judgment affirmed.

For plaintiff:

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