

INGA MAU et al.

v.

MARK C. MAJESTIC

Submitted on Briefs February 3, 2005
Decided March 11, 2005

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

MEMORANDUM OF DECISION

Mark C. Majestic appeals from the District Court's (Bangor, *Gunther, J.*) entry of a protection from harassment order against him pursuant to 5 M.R.S.A. § 4655 (2002 & Supp. 2004).

Contrary to Majestic's contentions, we assume that the facts supported the court's assertion of personal jurisdiction over Majestic and its admission of Kulik's expert testimony, and that there was sufficient evidence to support the court's order. *See* M.R. App. P. 5(d) (providing that in order to be included in the record on appeal, a statement of the evidence or proceedings in lieu of a transcript must have been settled and approved by the trial court); *Alley v. Alley*, 2002 ME 162, ¶ 2, 809 A.2d 1262, 1262 (stating that in the absence of a transcript or a statement

of the evidence or proceedings in lieu of a transcript, we “assume that there was sufficient evidence to support the court’s factual findings”). Majestic filed a proposed statement in lieu of a transcript, but, because he did not follow up with the court to ensure that it was settled and approved, he failed to satisfy his burden of furnishing an adequate record for review. *See Ginn v. Kelley Pontiac-Mazda, Inc.*, 2004 ME 1, ¶ 15, 841 A.2d 785, 788 (noting that it is the appellant’s burden to furnish an adequate record for review).

Majestic’s remaining arguments fail because they are unpreserved, *see Berg v. Bragdon*, 1997 ME 129, ¶ 9, 695 A.2d 1212, 1214, and the trial court’s actions did not result in obvious error, *see In re Joshua B.*, 2001 ME 115, ¶ 10, 776 A.2d 1240, 1243.

The entry is:

Judgment affirmed.

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