

ERNEST BOURAS et al.

v.

GLOBAL AUTO PARTS, INC., et al.

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

Global Auto Parts, Inc., appeals from a judgment entered in the District Court (Springvale, *Foster, J.*) denying its motion to retain a particular matter on the docket and then dismissing that matter with prejudice for want of prosecution pursuant to M.R. Civ. P. 41(b). Global did not file a timely notice of appeal. When the notice of appeal is filed later than the time period provided for pursuant to M.R. App. P. 2(b)(3) and there has been no tolling or valid enlargement of time, the appeal must be dismissed. *See Thomas v. BFC Marine/Bath Fuel Co.*, 2004 ME 27, ¶ 5, 843 A.2d 3, 5.

The entry is:

Appeal dismissed.

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The plaintiff and other parties-in-interest did not file briefs.