

JONATHAN R. GILBERT

v.

DOUGLAS GOING

Submitted on Briefs November 16, 2006
Decided November 21, 2006

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

MEMORANDUM OF DECISION

Douglas Going appeals from a judgment entered in the Superior Court (York County, *Fritzsche, J.*) affirming a small claims judgment of the District Court (Biddeford, *Brennan, J.*) in favor of Jonathan R. Gilbert for a breach of contract. Going failed to request a de novo review in the Superior Court or provide a transcript or record of the District Court's proceedings. Therefore, the appeal is limited to errors of law only. M.R.S.C.P. 11(d)(2). In the record provided on appeal, we find no error of law in the District Court's judgment. Further, Going's failure to furnish a transcript of all evidence relevant to his claims of insufficient

evidence leaves us to “assume that there was sufficient evidence to support the court’s factual findings.” *Alley v. Alley*, 2002 ME 162, ¶ 2, 809 A.2d 1262, 1262.

The entry is:

Judgment affirmed.

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