

YORK INSURANCE COMPANY OF MAINE

v.

DONNA HODURSKI et al.

Submitted on Briefs February 27, 2006

Decided April 19, 2006

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

MEMORANDUM OF DECISION

Donna Hodurski, individually and on behalf of her minor daughter, appeals from a summary judgment in favor of York Insurance Company of Maine entered by the Superior Court (Cumberland County, *Crowley, J.*) on York's complaint for declaratory judgment seeking to deny insurance coverage as to Hodurski's prior judgment obtained against the insured, Richard Sails, based on sexual assaults committed against the daughter by Sails. Contrary to Hodurski's contentions, viewing the evidence in the light most favorable to Hodurski, the court committed no error in concluding that no genuine issues of material fact exist and that York is not liable on Hodurksi's judgment against Sails as a matter of law. *See* 24-A M.R.S. § 2904 (2005); M.R. Civ. P. 56; *Sarah G. v. Me. Bonding & Cas. Co.*,

2005 ME 13, ¶ 6, 866 A.2d 835, 837; *Rice v. City of Biddeford*, 2004 ME 128, ¶ 9, 861 A.2d 668, 670; *Perreault v. Me. Bonding & Cas. Co.*, 568 A.2d 1100, 1101 (Me. 1990).

The entry is:

Judgment affirmed.

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