

TOWN OF CLINTON

v.

CHARLES S. McINTYRE

Submitted On Briefs June 13, 2007

Decided July 24, 2007

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

MEMORANDUM OF DECISION

Charles S. McIntyre appeals from a summary judgment entered in the District Court (Waterville, *Vafiades, J.*) in favor of the Town of Clinton on the Town's complaint to quiet title to real estate. Contrary to McIntyre's contention, given the absence of any prejudice to McIntyre, the court acted within its discretion in allowing the Town to untimely file proof of its timely service of process on McIntyre. *See Ireland v. Carpenter*, 2005 ME 98, ¶ 11, 879 A.2d 35, 38-39; *cf.* M.R. Civ. P. 4(i).

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Mary A. Denison, Esq.
Dyer Goodall and Denison, P.A.
61 Winthrop Street
Augusta, ME 04330

For defendant:

Charles S. McIntyre Sr.
P.O. Box 273
Clinton, ME 04927