

KEYBANK NATIONAL ASSOCIATION

v.

MARTIAN BURTIC

Submitted on Briefs September 27, 2007
Decided November 6, 2007

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

MEMORANDUM OF DECISION

Martian Burtic appeals from a judgment entered in the Superior Court (Cumberland County, *Delahanty, J.*) granting summary judgment to KeyBank National Association on its complaint for foreclosure. The court's certification of the judgment as final was proper pursuant to M.R. Civ. P. 54(b)(1). Contrary to Burtic's contention, the court did not err in granting KeyBank's motion for summary judgment because Burtic did not properly oppose the motion, *see* M.R. Civ. P. 56(h)(2), and KeyBank established all the facts necessary for a judgment of foreclosure in its statement of material facts. *See* 14 M.R.S. § 6322 (2006). The

court properly deemed those facts admitted. *See Stanley v. Hancock County Comm'rs*, 2004 ME 157, ¶ 13, 864 A.2d 169, 174.

The entry is:

Judgment affirmed.

Attorney for the plaintiff:

John Doonan, Esq.
Doonan, Graves
100 Cummings Center
Beverly, MA 01915

For the defendant:

Martian Burtic
103 Deerfield Rd.
Portland, Maine 04101