

ESTATE OF JAMES E. WORMWOOD

Submitted on Briefs October 16, 2007  
Decided November 6, 2007

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

MEMORANDUM OF DECISION

Mark Ventresca appeals from a judgment of the York County Probate Court (*Nadeau, J.*) determining that the will of James E. Wormwood, dated June 24, 2004, was valid and accepting it for probate. Ventresca contends that the court erred in its factual findings that he had failed to prove that the testator lacked testamentary capacity, or that the will was the product of undue influence. He also asserts that the will was improperly executed, although this contention was not presented to the Probate Court, at least in the record available to this Court. Because no hearing transcript has been presented to support this appeal, we infer that the factual findings and discretionary judgments made by the Probate Court are fully supported by the record. *See Rothstein v. Maloney*, 2002 ME 179, ¶ 11,

816 A.2d 812, 813. The available record also demonstrates no error of law by the Probate Court in reaching its judgment.

The entry is:

Judgment affirmed.

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For the appellant:

Mark Ventresca  
6 Halstead St.  
Kittery, Maine 04904

Attorneys for the appellees:

Thomas Danylik, Esq.  
234 Main St.  
P.O. Box 468  
Biddeford, Maine 04005

John M. Wallach, Esq.  
31 Granite Point Rd.  
P.O. Box 2227  
Biddeford, Maine 04005