

TOWN OF LITCHFIELD

v.

MICHAEL ST. JEAN

Submitted on Briefs March 29, 2007
Decided April 19, 2007

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

MEMORANDUM OF DECISION

Michael St. Jean appeals from a judgment entered in the Superior Court (Kennebec County, *Marden, J.*) granting the Town of Litchfield's motion for contempt. St. Jean contends that, although he harvested wood from land he was enjoined from entering onto or cutting wood from by a permanent injunction issued in 1995, he now owns that land, and thus, cannot be held in contempt. We disagree.

St. Jean cannot challenge the validity of the underlying injunction in an appeal from a finding of contempt. *See* M.R. Civ. P. 59(e), 60(b). Therefore, because it is undisputed that St. Jean intentionally harvested wood from land

subject to the injunction, the court did not act outside the bounds of its discretion by enforcing the permanent injunction through a contempt order. *See Pratt v. Spaulding*, 2003 ME 56, ¶¶ 11, 14, 822 A.2d 1183, 1187; *State v. Richard*, 1997 ME 144, ¶ 10, 697 A.2d 410, 414.

The entry is:

Judgment affirmed.

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