

DEPARTMENT OF HEALTH AND HUMAN SERVICES

v.

DARRON V. JEFFRIES

Submitted on Briefs December 11, 2007

Decided January 17, 2008

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

MEMORANDUM OF DECISION

Darron V. Jeffries appeals from a judgment of the District Court (Bangor, *R. Murray, J.*) establishing his paternity of a minor child and ordering him to pay child support. Jeffries argues that: (1) the court erred by allowing the hearing on the State's motion for protection from discovery to proceed without notifying Jeffries of the hearing; (2) a document the State sent him regarding scheduling of genetic testing violated his constitutional rights to due process and various other rights under the Maine Constitution; and (3) the court erred by entering the paternity judgment and child support order when certain bills, which are

admissible pursuant to 19-A M.R.S. § 3016(4) (2007), were not submitted. Jeffries makes several other unmeritorious arguments that we decline to reach.

Although Jeffries was not notified of a hearing on the State's motion for protection from discovery, Jeffries failed to file any opposition to the motion, did not request that the court reconsider the discovery order it issued as a result of the hearing, and, before us, failed to assert that he was prejudiced in any manner. Accordingly, this error was harmless because it did not affect Jeffries's substantial rights. *See* M.R. Civ. P. 61. Additionally, we find that Jeffries's argument that a document the State sent him violated various constitutional rights was raised for the first time on appeal and was inadequately briefed and is, therefore, not properly before this Court. *See Mehlhorn v. Derby*, 2006 ME 110, ¶ 11, 905 A.2d 290, 293; *State v. Patterson*, 2005 ME 26, ¶ 9 n.3, 868 A.2d 188, 191; *Biette v. Scott Dugas Trucking & Excavating Inc.*, 676 A.2d 490, 494 (Me. 1996); *Teel v. Colson*, 396 A.2d 529, 533-34 (Me. 1979). Finally, contrary to Jeffries's contention that the District Court erred by failing to apply 19-A M.R.S. § 3016(4) to protect his rights, we find that this provision is inapplicable to Jeffries's case.

The entry is:

Judgment affirmed.

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