

DANIEL A. BOGGS JR.

v.

CHARLES MILLIS

Submitted on Briefs October 22, 2008

Decided November 13, 2008

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

MEMORANDUM OF DECISION

Daniel A. Boggs Jr. appeals from the dismissal of his complaint for protection from harassment by the District Court (Biddeford, *Foster, J.*) based on nonpayment of the complaint filing fee. On appeal, Boggs contends that the requirement for payment of fees should have been waived and that the District Court judge should have recused herself upon Boggs's request. The court did not err or abuse its discretion in denying Boggs's request for waiver of payment of fees and dismissing his action for nonpayment of fees. A court may refuse to waive payment of fees when it determines that an action is frivolous and not brought in good faith. M.R. Civ. P. 91(b). There was no error in the other aspects of the court's consideration of this matter raised by Boggs on appeal.

The entry is:

Judgment affirmed.

Daniel A. Boggs, Jr., pro se:

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Charles Millis did not file a brief.