

IN RE ESTATE OF EDITH M. LEWIS

Submitted on Briefs December 5, 2008  
Decided December 16, 2008

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

MEMORANDUM OF DECISION

Allen L. Lewis appeals from an order of the Knox County Probate Court (*Emery, J.*) resolving a will contest in Allen Lewis's favor but directing that, because of Allen Lewis's conduct during the litigation, it may award some or all of the attorney fees for all of the parties to be paid from Allen Lewis's share of the Estate. At the time the appeal was filed, the valuation of the Estate had not been completed and no attorney fee payments had yet been approved. Thus, there was no final judgment valuing the Estate and awarding attorney fees from which Allen Lewis could properly bring an appeal. The appeal is interlocutory and must be dismissed. *See Sanborn v. Sanborn*, 2005 ME 95, ¶¶ 4-5, 877 A.2d 1075, 1076.

The entry is:

Appeal dismissed. Remanded to the Knox County  
Probate Court.

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**Allen Lewis, pro se:**

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**No other party filed a brief.**