

IN RE JOSEPH T. KELEHER

Submitted On Briefs December 12, 2008  
Decided December 18, 2008

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

MEMORANDUM OF DECISION

Joseph T. Keleher appeals from a judgment of the Penobscot County Probate Court (Bangor, *Woodcock, J.*) granting the petition of the Department of Health and Human Services to appoint a guardian for Keleher as an incapacitated person. Contrary to Keleher's contention, when viewing the record in the light most favorable to the Department, as the prevailing party, there is sufficient evidence to support the trial court's findings that Keleher is an incapacitated person and that appointment of a guardian for Keleher is necessary or desirable pursuant to 18-A M.R.S. § 5-304 (2007). *See* 18-A M.R.S. §§ 5-101(1), 5-601 (2007); *In re Cyr*, 2005 ME 61, ¶ 16, 873 A.2d 355, 360-61.

The entry is:

Judgment affirmed.

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