

SHEILA ARGRAVES

v.

PERSONAL SERVICES OF AROOSTOOK

Submitted on Briefs April 30, 2008
Decided May 8, 2008

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

MEMORANDUM OF DECISION

Sheila Argraves appeals from an order granting Personal Services of Aroostook's motion to dismiss entered in the Superior Court (Aroostook County, *Hunter, J.*). Contrary to Argraves's contention, the court did not err in granting the motion because Argraves failed to meet the pleading requirements of M.R. Civ. P. 8(a), and therefore failed to state a claim upon which relief could be granted. *See* M.R. Civ. P. 12(b)(6); *see, e.g., Waterhouse v. Kelleher*, 2007 ME 51, ¶ 2, 918 A.2d 436, 436 (affirming dismissal of a complaint because it failed to allege all the elements of fraud).

Further, even if Argraves amended her complaint to comply with M.R. Civ. P. 8(a) and to state a claim under the Maine Human Rights Act, her claim would still fail because it would be time-barred by the MHRA two-year statute of limitations. 5 M.R.S. § 4613(2)(C) (2007). Finally, Argraves cannot amend her complaint to meet the six-year statute of limitations for civil actions in tort, 14 M.R.S. § 752 (2007), because the exclusivity provisions of the Maine Workers

Compensation Act would bar such a claim. *See* 39-A M.R.S. § 104 (2007); *Cole v. Chandler*, 2000 ME 104, ¶ 13, 752 A.2d 1189, 1196.

The entry is:

Judgment affirmed.

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