

ROBERT W. HENDERSON JR. et al.

v.

RICHARD L. SEWELL
AND
WILLIAM K. SEWELL GRANTOR TRUST et al.

Submitted on Briefs September 30, 2009
Decided January 28, 2010

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

MEMORANDUM OF DECISION

Robert W. Henderson Jr. and Margaret C. Henderson appeal from a judgment of the Superior Court (York County, *Fritzsche, J.*) entered upon a jury verdict against the Hendersons on their trespass claims and a declaratory judgment entered upon the court's finding, establishing the boundary line between the Hendersons' property in Lebanon, Maine, and the abutting property owned by the Richard L. Sewell and William K. Sewell Grantor Trust, and Jonathan E. Sewell.¹ On the record before us, we are not persuaded that the court abused its discretion in excluding certain tax and mortgage documents pursuant to Rule 403 of the Maine Rules of Evidence, *see Camp Takajo, Inc. v. SimplexGrinnell, L.P.*, 2008 ME 153, ¶ 16, 957 A.2d 68, 73; *cf. State v. Giglio*, 441 A.2d 303, 307 (Me. 1982) (discussing review of a trial court's rationale for excluding evidence pursuant to M.R. Evid. 403), and we affirm the judgment.

¹ The interests of the other remaining defendant, Sand Hill Forest Products, Inc., may be affected by the boundary issues raised in this appeal, but it is not a current owner of abutting property.

The entry is:

Judgment affirmed.

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