

STATE OF MAINE
SAGADAHOC, SS.

SUPERIOR COURT
CIVIL ACTION
Docket No. AP-2016-05

CHRIS BARTLETT,)
Plaintiff,)
)
)
v.)
)
)
UNEMPLOYMENT)
INSURANCE COMMISSION,)
Defendant.)


ORDER ON PENDING MOTION

The Petitioner moves the court to reconsider the Dismissal Order issued on January 3, 2017. This court dismissed this matter because the Petitioner failed to file a brief in accordance with the Briefing Schedule issued by this court. In support of his motion, the Petitioner offers no explanation for his failure to file a brief.

This court may set aside a dismissal for failing to comply with filing deadlines if the court finds that the lack of compliance was due to excusable neglect. It is impossible for this court to find excusable neglect when, as is the case here, the Petitioner offers no explanation for his lack of compliance with filing deadlines. The Petitioner's Motion to Reconsider is therefore DENIED.

The Clerk is directed to incorporate this Order by reference into the docket for this case, pursuant to Rule 79(a), Maine Rules of Civil Procedure.

Dated: February 14, 2017


JUSTICE, MAINE SUPERIOR COURT

STATE OF MAINE
SAGADAHOC, SS.

SUPERIOR COURT
CIVIL ACTION
Docket No. AP-2016-05

CHRIS BARTLETT,)
Plaintiff,)
)
v.)
)
UNEMPLOYMENT)
INSURANCE COMMISSION,)
Defendant.)

ORDER ON PENDING MOTION

The Petitioner moves the court a second time to reconsider the Dismissal Order issued on January 3, 2017. This court dismissed this matter because the Petitioner failed to file a brief in accordance with the Briefing Schedule issued by this court. The Petitioner's initial motion was denied because the Petitioner offered no explanation for his failure to file a brief.

With his second motion, the Petitioner claims he did not know he was required to file a brief and that he does not know what a brief is. A litigant who elects to represent himself is bound by the same rules as one represented by counsel; he is not entitled to any preferential treatment. See State v. Dunn, 480 A.2d 788, 790 (Me. 1984); Oliver v. Martin, 460 A.2d 594, 595 (Me. 1983). As a result, the Petitioner's lack of knowledge of court procedure does not constitute excusable neglect. Therefore, the Petitioner's Second Motion to Reconsider is DENIED.

The Clerk is directed to incorporate this Order by reference into the docket for this case, pursuant to Rule 79(a), Maine Rules of Civil Procedure.

Dated: March 21, 2017


JUSTICE, MAINE SUPERIOR COURT

Date Filed 07/15/16

County Sagadahoc

Docket No. AP-16-05

Action: 80C Appeal

Chris Bartlett

vs.

Unemployment Insurance Commission

Plaintiff's Attorney
Pro Se
505 Middle Street
Bath, Maine 04530

Defendant's Attorney
Nancy Macirowski, AAG
Office of the Attorney General
6 State House Station
Augusta, Maine 04333

Date of
Entry

Received 07/15/16:
Petition filed by Chris Bartlett

Received 07/28/16:
Entry of Appearance for the Maine Unemployment Insurance Commission filed by Nancy Macirowski, AAG.

Received 08/17/16:
Administrative Record filed by Nancy Macirowski, AAG.

On 08/17/16:
Notice and Briefing Schedule issued.

Received 10/31/16:
Brief of Respondent Maine Unemployment Insurance Commission filed by N. Macirowski, AAG.

Received 12/19/16:
Letter to Ms. Macirowski and Justice Billings filed by Chris Bartlett.

On 01/03/17:
Dismissal Order /s/ Billings, J.
This matter is DISMISSED with prejudice due to the petitioners failure to file his brief.