

STATE OF MAINE  
YORK, SS.

SUPERIOR COURT  
Civil Action  
Docket No. AP-16-0023

MADDEN REALTY LLC,

Plaintiff/Appellee,

v.

**ORDER**

CHRISTOPHER A. BOISSE

Defendant/Appellant.

Madden Realty LLC brought a small claims action against Christopher A. Boisse to recover \$6,000 in damages arising out of an alleged breach of an exclusive real estate listing agreement. After final hearing in Biddeford on May 2, 2016, the District Court (*Foster, J.*) issued a judgment for Plaintiff in the amount of \$6,000 plus \$106.38 in costs. Judgment was entered on May 3, 2016.

On June 1, 2016 Mr. Boisse filed an appeal to this court. His notice of appeal indicates: (i) Appellant "does not request a jury trial de novo;" and (ii) "[n]o electronic or other recording of the proceedings being available, a statement in lieu of transcript will be prepared."

The party appealing a small claims judgment to Superior Court is responsible for complying with all rules governing appeals. M.R. Civ. P. 76F(a). Since there was neither a transcript nor electronic recording of the hearing, Appellant is responsible for preparing and filing a statement of the evidence and proceeding, which must be settled and approved by the judge who heard the trial. M.R. Civ.P. 76F(a), (c). *Manzo v. Reynolds*, 477 A.2d 732, 734 (Me. 1984). Appellant has not filed such a statement. This court has no basis for reviewing the judgment of the District Court and therefore must deny the appeal. *Manzo*, 477 A.2d at 734.


Accordingly, the entry shall be:

**Appeal is DENIED. Judgment of the District Court is AFFIRMED.**

The clerk may incorporate this order upon the docket by reference pursuant to Rule 79(a) of the Maine Rules of Civil Procedure.

**SO ORDERED.**

DATE: September 30, 2016



Wayne R. Douglas  
Justice, Superior Court