

STATE OF MAINE
YORK, SS.

SUPERIOR COURT CV
DOCKET NO. ~~AP-12-023~~ 13-62
JDN-YOR-3/20/2014


JAMES M. DINEEN,)
)
)
 Plaintiffs,)
)
 v.)
)
 MSAD 35, et al.)
)
)
 Defendants.)

ORDER

Before the Court is Defendants Motion to Dismiss.

Plaintiff brought this action against Defendants Maine School Administrative District 35 and Richard Buzzell for defamation and tortious interference. Plaintiff filed the complaint with the court within the statutory period, but failed to file a return of service within 90 days pursuant to Maine Rule of Civil Procedure 3. M.R. Civ. P. 3. Rule 3 states that where the return of service is not filed within 90 days, the action may be dismissed upon motion or notice. Additionally, as a result of Plaintiff's failure to comply with M.R. Civ. P. 3, the Court does not have personal jurisdiction over Defendants in this matter. See Fries v. Carpenter, 567 A.2d 437, 439 (Me. 1989) ("We hold that because the plaintiffs failed to make a timely service of process on the defendants personal jurisdiction of the defendants was never secured.") Plaintiff has not offered good cause for the delay, nor did Plaintiff request an extension in order to serve Defendants. The Court grants Defendants' Motion to Dismiss.

DATE: 3/20/14



John O'Neil, Jr.
Justice, Superior Court

PLAINTIFF PRO SE:

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