

MAINE SUPREME JUDICIAL COURT

Decision: 2002 ME 72  
Docket: And-01-742  
Submitted  
on Briefs: April 18, 2002  
Decided: April 26, 2002

Panel: SAUFLEY, C.J., and RUDMAN, DANA, ALEXANDER, CALKINS, and LEVY, JJ.

CITY OF LEWISTON

v.

CLOUTIER REALTY, INC.

PER CURIAM

Cloutier Realty, Inc. appeals from a judgment entered in the District Court, (Lewiston, *Mullen, J.*) finding it in civil contempt of a prior order directing it to correct fire code violations at its apartment building. Cloutier Realty failed to file an appendix in conformity with M.R. App. P. 8 (a). The Maine Rules of Appellate Procedure provide for the dismissal of an appeal as a sanction for failure to comply with rules governing appendices. M.R. App. P. 8 (j). Cloutier Realty also raises no substantive issues on appeal nor provides legal authority for its assertions. We therefore find its appeal frivolous and assess sanctions of \$500 and costs and attorney fees pursuant to 30-A M.R.S.A § 4452 (3) (D) (1996).

The entry is:

Appeal dismissed with sanctions against the appellant in the amount of \$500. Remand to the District Court for it to assess reasonable attorney fees and expenses against appellant.

Attorney for plaintiff:

David C. Pierson, Esq.  
Hark • Andrucki  
P O Box 7120  
Lewiston, ME 04243-7120

For defendant:

Fernand L. Cloutier  
13 Ventura Street  
Lewiston, ME 04240