

STATE OF MAINE
CUMBERLAND, ss

SUPERIOR COURT
CIVIL ACTION
Docket No. RE-13-124

BANK OF AMERICA, N.A.,

Plaintiff

v.

GARY W. LONG, et al.,

Defendants

ORDER

STATE OF MAINE
Cumberland County Clerk's Office

AUG 06 2015

RECEIVED

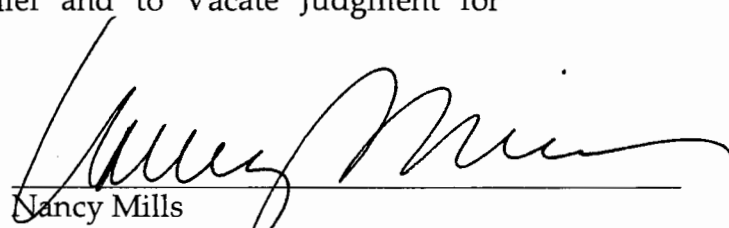
Before the court is plaintiff's motion for relief and to vacate judgment for defendants. Plaintiff appeared on 3/6/15, the date for trial, and moved to dismiss the complaint because plaintiff was not prepared for trial and had no witnesses. Judgment was entered in favor of defendants on 4/16/15. No trial was held and there is no record or evidence on which the court can consider the argument plaintiff now makes. Plaintiff does not address this issue in its reply to defendants' objection. (Def.'s Obj. 6.)

Further, assuming the record after trial in the Superior Court established that plaintiff "does not appear to own the mortgage and lacks standing to foreclose," that fact would not provide a basis to vacate a judgment for defendants. See Nationstar Mortgage, LLC v. Halfacre, PORSC-RE-2012-102 (Me. Super. Ct., Cum. Cty., July 23, 2015); (Pl.'s Mot. 3).

The entry is

Plaintiff's Motion for Relief and to Vacate Judgment for
Defendants is DENIED

Dated: August 5, 2015


Nancy Mills
Justice, Superior Court

Plaintiff-Jeffrey Hardiman Esq
Defendants-Mark Kearns Esq