

JENNIFER A. MILLER

v.

JAN E. MARTIN

Submitted on Briefs February 19, 2025
Decided March 4, 2025

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Jennifer A. Miller appeals from a judgment of the District Court (West Bath, *Raimondi, J.*) denying her complaint for protection from harassment and from an order finding her complaint frivolous and awarding the defendant \$5,075 in attorney fees. *See* 5 M.R.S. § 4651(2) (2024); 5 M.R.S. § 4655(1-A) (2024). Miller’s appeal from the judgment denying her complaint is untimely; we dismiss the appeal on that ground. *See* M.R. App. P. 2B(c)(1); *Williamson v. Finlay*, 2023 ME 78, ¶¶ 1, 5, 306 A.3d 630 (affirming an order dismissing the appellant’s complaint for protection from harassment and granting attorney fees to the defendant because the notice of appeal was filed more than twenty-one days from the date that the order was docketed).

While Miller’s appeal from the order granting the defendant attorney fees is timely, *see* M.R. App. P. 2B(c)(2)(C), we conclude that the court did not abuse its discretion in awarding the defendant reasonable attorney fees. *See* 5 M.R.S. § 4655(1-A); *VanVoorhees v. Dodge*, 679 A.2d 1077, 1082 (Me. 1996) (“When a court is authorized by law to award attorney fees[,] we review an award of attorney fees for an abuse of the court’s discretion, with the trial court being given broad discretion in determining the award.” (citation and quotation

marks omitted)); *Jefts v. Dennis*, 2007 ME 129, ¶ 9, 931 A.2d 1055 (“Because the court did not err in finding that [the defendant] committed the harassment alleged by [the plaintiff], we cannot say that it exceeded its discretion in awarding attorney fees and costs.” (footnote omitted)).

The entry is:

Appeal dismissed as to judgment denying
complaint. Order awarding attorney fees
affirmed.

Jennifer A. Miller, appellant pro se

Zachary B. Brandwein, Esq., and Joseph E. Long, Esq., Dentons Bingham
Greenebaum LLP, Portland, for appellee Jan Martin

West Bath District Court docket number PA-2024-60
FOR CLERK REFERENCE ONLY