

MURRAY, PLUMB & MURRAY, P.A.

v.

FRANK THOMAS MARTIN et al.

Submitted on Briefs September 19, 2001
Decided September 27, 2001

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

MEMORANDUM OF DECISION

[¶ 1] Frank Thomas Martin and Deborah Lee Dyer appeal from a default judgment entered in favor of Murray, Plumb & Murray, P.A., in the District Court (Portland, *Bradley, J.*) on the law firm's action to recover its fees. Contrary to Martin and Dyer's contentions, the court did not err in entering the default judgment because their attorney, who was not admitted to practice in Maine, 4 M.R.S.A. § 805-A (1989 & Supp. 2000), lacked the authority to appear and answer for them. *See Haynes v. Jackson*, 2000 ME 11, ¶ 15, 744 A.2d 1050, 1054 (actions of person unauthorized to act as attorney are of no effect); M.R. Civ. P. 12(b) (defenses must be raised in a responsive pleading); *Arekay Realty Group v. Lievi*, 595 A.2d 1036, 1037-38 (Me. 1991) (court may enter a default judgment in absence of a timely responsive pleading).

The entry is:

Judgment affirmed.

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