

BEALS AIRCRAFT SERVICE

v.

SNUG HARBOR AIRWAYS, INC.

Submitted on Briefs October 2, 2001

Decided October 4, 2001

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

MEMORANDUM OF DECISION

Snug Harbor Airways, Inc. appeals from a decision of the Superior Court (Aroostook County, *Pierson, J.*) affirming the decision of the Small Claims Court (Houlton, *Griffiths, J.*), which granted a judgment of \$2,481.07 in favor of Beals Aircraft Service. Contrary to Snug Harbor's contentions, (1) the Superior Court properly denied Snug Harbor's request for a jury trial, *see Buffington v. Arnheiter*, 576 A.2d 751, 752 (Me. 1990) (holding that request for jury trial was properly denied where requesting party failed to comply with M.R. Civ. P. 56 affidavit requirements), and (2) the uniform commercial code—and, consequently, 11 M.R.S.A. § 2-315—does not apply in this case, *see* 11 M.R.S.A. § 2-102 (1995); *Lucien Bourque, Inc. v. Cronkite*, 557 A.2d 193, 196-97 (Me. 1989). Further, the District Court's factual findings were not clearly erroneous. *Cacho v. Prince of Fundy Cruises, Ltd.*, 1998 ME 249, ¶ 8, 722 A.2d 349, 351.

The entry is:

Judgment affirmed.

For plaintiff:

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