

ABC RUBBISH, INC.

v.

DONALD SURRETTE

Submitted on Briefs November 26, 2002

Decided December 2, 2002

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

MEMORANDUM OF DECISION

Donald Surrrette appeals from a judgment entered in the Superior Court (Cumberland County, *Delahanty, J.*) affirming the judgment of the District Court (Bridgton, *Sheldon, J.*) on a small claims action brought by ABC Rubbish, Inc., for payment for trash removal services. Because Surrrette has not provided us with a transcript of the proceedings before the trial court or a statement of the evidence pursuant to M.R. App. P. 5(d), we must assume that there was sufficient evidence to support the court's factual findings. *See Tenney v. Benson*, 1999 ME 177, ¶ 1, 741 A.2d 454, 455.

The entry is:

Judgment affirmed.

For appellant:

Donald Surrette
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Salisbury, MA 01952

Appellee did not file a brief.