

FLEET BANK OF MAINE

v.

CLIFFORD A. DUMONT

Submitted on Briefs June 27, 2002  
Decided July 24, 2002

Panel: CLIFFORD, and RUDMAN, DANA, CALKINS, and LEVY, JJ.

MEMORANDUM OF DECISION

Clifford A. Dumont appeals from an order of the Superior Court (Kennebec County, *Atwood, J.*), dismissing without prejudice Fleet Bank of Maine's complaint against Dumont for fraudulent transfers, 14 M.R.S.A. §§ 3571-3582 (Supp. 2001), and denying various motions filed by Dumont. Contrary to Dumont's contentions, the Superior Court acted within the bounds of its discretion in granting Fleet's request, pursuant to M.R. Civ. P. 41(a)(2), to dismiss its claim without prejudice; *see Presnell v. Peoples Heritage Bank*, 619 A.2d 1205, 1206 (Me. 1993); the court did not abuse its discretion in denying Dumont's motion, filed nine years after the commencement of the action, to amend his answer and add counterclaims; *see Bahre v. Liberty Group, Inc.*, 2000 ME 75, ¶¶ 7, 11, 750 A.2d 558, 560-61; M.R. Civ. P. 13(f); the court properly dismissed Dumont's

motion for summary judgment and demand for a jury trial as moot; *see Sordyl v. Sordyl*, 1997 ME 87, ¶ 4, 692 A.2d 1386, 1387. Dumont's other contentions do not warrant further discussion.

The entry is:

Judgment affirmed.

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