

VERMONT SUPREME COURT
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Case No. 23-AP-156

Note: In the case title, an asterisk () indicates an appellant and a double asterisk (**) indicates a cross-appellant. Decisions of a three-justice panel are not to be considered as precedent before any tribunal.*

ENTRY ORDER

OCTOBER TERM, 2023

M.J.* v. L.C.S.D.

} APPEALED FROM:
} Superior Court, Lamoille Unit, Civil Division
} CASE NO. 23-CV-00304
Trial Judge: Daniel Richardson

In the above-entitled cause, the Clerk will enter:

Plaintiff appeals pro se from the dismissal of his complaint for failure to state a claim upon which relief can be granted. We affirm.

In its dismissal order, the court found that plaintiff was a serial filer from the State of Delaware who had made similar and repetitive claims in various jurisdictions. Plaintiff had filed approximately 100 complaints in courts throughout the Northeast, which were all dismissed at an early stage. Plaintiff had been sanctioned for his behavior. The court described plaintiff's allegations as "rambling and often incoherent with odd references to stem cells, death, re-birth, regrowth of body parts, and viruses." The court concluded that, putting aside the dubious nature of his claims, plaintiff's complaint did not survive a basic legal analysis under Vermont Rule of Civil Procedure 12(b)(6).

Plaintiff identifies no discernable or persuasive basis to overturn the trial court's decision. See Johnson v. Johnson, 158 Vt. 160, 164 n* (1992) (explaining that Supreme Court will not address contentions so inadequately briefed as to fail to minimally meet standards of V.R.A.P. 28(a)). Aside from a summary sentence, the statements in his brief do not appear to relate to the merits of the decision on appeal. As we have often repeated, "[i]t is the burden of the appellant to demonstrate how the lower court erred warranting reversal" and "[w]e will not comb the

record searching for error.” In re S.B.L., 150 Vt. 294, 297 (1988). Plaintiff fails to show any basis to disturb the court’s dismissal order here.

Affirmed.

BY THE COURT:

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

Nancy J. Waples, Associate Justice