

Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.

ENTRY ORDER

SUPREME COURT DOCKET NO. 2001-230

DECEMBER TERM, 2001

Ghassan J. Maarawi	}	
	}	
v.	}	APPEALED FROM:
	}	
Linda Parenteau, et al.	}	Orleans Superior Court
	}	
Angel and Ronald J. White, Roger R. Sheltra	}	DOCKET NO. 206-8-00 Oscv
	}	
and Stanley Willard	}	Trial Judge: Matthew I. Katz
	}	

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

Plaintiff Ghassan J. Maarawi appeals from the Orleans Superior Court's order dismissing his civil action against thirty-one named defendants alleging various claims. We discern no reversible error by the court, and affirm.

Maarawi filed his pro-se complaint against defendants on August 7, 2000. The complaint appears to respond to defendants' issuance of a notice against trespass on their lands located on Bushey Hill Road in Derby. Rather than answer Maarawi's complaint, defendants moved to dismiss, alleging that the complaint failed to state claims susceptible to relief in superior court under V.R.C.P. 12(b)(6). On March 26, 2001, the court construed Maarawi's complaint to allege claims for (1) making a false complaint about Maarawi to police officials, (2) wrongfully issuing a notice against trespass against Maarawi, and (3) discrimination. The court dismissed the complaint because it failed to show that there were any grounds for relief. Because Maarawi appeared without counsel, the court allowed him thirty days to file an amended complaint alleging specific "acts by specific persons which do constitute actionable wrongs," otherwise the court would dismiss the case.

On April 18, 2001, Maarawi responded to the court's order by filing a "Notice to Correct Entry." In that document Maarawi took issue with the court's March 26 order, but did not allege any new facts relating to the specific individuals he named in his complaint. The "Notice to Correct Entry" makes clear, however, that Maarawi's chief complaint centers on the notice against trespass the individual defendants signed. Finding no reason to modify its March 26 order, the court entered final judgment dismissing Maarawi's action on April 30, 2001, and Maarawi timely appealed.

To the extent we can make sense of Maarawi's appellate brief, he appears to argue that he is entitled to jury trial and damages for defendants' issuance of the notice against trespass because they allegedly issued the notice for improper reasons and the notice did not list all of defendants' real property in Vermont and elsewhere. According to Maarawi, the court therefore erred by dismissing his complaint. We disagree.

The notice against trespass at issue in this case has no legal significance beyond acting as a necessary predicate to a criminal prosecution for trespass.⁽¹⁾ See 13 V.S.A. 3705(a)(1) (unlawful to enter or remain on property, without legal authority or consent of person in lawful possession, where person has notice against trespass issued by actual communication by lawful possessor, possessor's agent or law enforcement officer acting on possessor's behalf). Even where a notice against trespass has issued, however, conviction for trespass still requires a showing that the alleged offender did not have consent or other legal authority to enter or remain on the premises. *State v. Dixon*, 169 Vt. 15, 17 (1999). Therefore, even if Maarawi were able to prove that defendants issued the notice against trespass for a

discriminatory, malicious or other bad purpose, the notice itself is not an actionable wrong for which legal relief is available regardless of whether or not the notice listed all of defendants' property.

If Maarawi has raised other claims in his brief to this Court, we cannot address them because they are not apparent; we will not render an opinion on claims that are inadequately briefed. Buttura v. Buttura, 143 Vt. 95, 98 (1983).

Affirmed.

BY THE COURT:

Jeffrey L. Amestoy, Chief Justice

John A. Dooley, Associate Justice

Marilyn S. Skoglund, Associate Justice

1. Although the issue is not before us in this case, we question whether the notice of trespass here would be sufficient since it contains no description of the property from which defendants seek to bar Maarawi.