

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2014-0371, Richard H. Daley & a. v. Linda K. Babigian, the court on February 19, 2015, issued the following order:

Having considered the briefs, the memorandum of law, and the record submitted on appeal, we conclude that oral argument is unnecessary in this case. See Sup. Ct. R. 18(1). We affirm.

The petitioners, Ann Daley and Richard Daley, appeal an order of the Superior Court (Delker, J.) granting partial summary judgment in favor of the respondent, Linda Babigian, on her counterclaim. They argue that the trial court erred by applying “a rule of law developed in connection with commercial negotiable instruments – that the statute of limitations runs from each installment in an installment contract – . . . in the context of real estate mortgages where the legislature has specified that the limitations period runs from the date when the ‘right to recover first accrue[s].’”

As the appealing parties, the petitioners have the burden of demonstrating reversible error. Gallo v. Traina, 166 N.H. ___, ___, 103 A.3d 1183, 1186 (2014). Based upon our review of the trial court’s well-reasoned order, the petitioners’ challenges to it, the relevant law, and the record submitted on appeal, we conclude that the petitioners have not demonstrated reversible error. See id.

Affirmed.

Dalianis, C.J., and Hicks, Conboy, Lynn, and Bassett, JJ., concurred.

**Eileen Fox,
Clerk**

Distribution:

Clerk, Rockingham County Superior Court, 216-2013-CV-00079

Honorable N. William Delker

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