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

ENTRY ORDER

SUPREME COURT DOCKET NO. 2003-207

AUGUST TERM, 2003

Daniel Loverin	}	APPEALED FROM:
v.	}	Washington Superior Court
Montpelier Central School District	}	DOCKET NO. 168-3-00 Wncv
	}	Trial Judge: Geoffrey Crawford

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

Plaintiff Daniel Loverin appeals pro se from a superior court judgment denying his request to vacate the defendant Montpelier School District= s notice against trespass. We affirm.

As found by the trial court, the facts may be summarized as follows. During the late 1990's plaintiff struggled with serious family issues, which manifested themselves in a series of conflicts with staff of the City of Montpelier School District where plaintiff had been employed and his children were attending school. The District responded in September 1999, by causing service of notice against trespass upon plaintiff, which restricted his access to school property and personnel. Plaintiff later filed this declaratory relief action to vacate the notice on the ground that the District lacked a sufficient basis to continue it in effect, and that it violated his right to free access to school property, his rights to freedom of speech and association, and his civil rights.

Following an evidentiary hearing in January 2003, the court issued a written decision, finding that the District had an obligation to protect the safety of its children and staff; that the District had sufficient reason to be alarmed about the anger that plaintiff had been expressing to justify obtaining service of the notice against trespass; that plaintiff= s children had since left the school system, eliminating any need to interact with school staff during school hours; that plaintiff had a legitimate interest in participating in events that may occur after hours on school grounds that are open to the public; and that the notice against trespass prevented plaintiff from attending these events. Accordingly, the court ordered that the notice remain in effect, but modified its terms to allow plaintiff access to school grounds and buildings after 5:00 p.m. on weekdays, and anytime on weekends, when they are open to the public; that the restriction against contact with staff during working hours would remain in place; and that the amended notice and the court= s order would be lifted on January 25, 2005 absent further action by the court or the parties. This appeal followed.

Plaintiff= s pro se appeal consists of a narrative of complaints about the hearing and the court= s decision, but fails entirely to comply with our requirement that appellant= s brief contain a statement of the issues for review, a table of cases and authorities cited, a concise statement of the facts and claims, and argument setting forth the claims and issues presented and the cases and authorities in support thereof, with appropriate citation to those parts of the record relied on. V.R.A.P. 28(a). Claims that are inadequately briefed need not be addressed. Johnson v. Johnson, 158 Vt. 160, 164 n.* (1992). Nevertheless, considered on their merits plaintiff= s assertions, which may be parsed into several categories, are not persuasive. He first contends the evidence fails to support the court= s observation that plaintiff had struggled with mental illness issues. The observation, regardless of its evidentiary support, was peripheral to the court= s decision and therefore need not be considered. See Lakeview Farm, Inc. v. Enman, 166 Vt. 158, 163 (1997) (any error concerning unessential finding does not provide basis for reversal)

Plaintiff also makes certain ad hominem charges against the character of one of the witnesses at the hearing B the police officer who serves the District B which we decline to consider as outside the record. See In re Wal*Mart Stores, Inc., 167 Vt. 75, 87 (1997) (facts outside record cannot be considered on appeal). Plaintiff further charges both witnesses B the officer and the school superintendent B with perjury, but fails to substantiate the claim with any appropriate record citations. Finally, plaintiff challenges generally the court= s finding that the trespass order was justified, but again fails to cite to the record or other authorities to support the claim. We have reviewed the record evidence, however, which shows that plaintiff had engaged in a series of harassing and threatening phone calls to school staff; had become agitated during one meeting with school administrators, causing the meeting to be shortened; and on one occasion had confronted the superintendent in a highly agitated state. The evidence thus amply supports the findings, and the findings support the court= s reasoned decision maintaining the notice in effect while allowing plaintiff reasonable access to public events on school grounds during non-school hours. Foster v. Bittersweet Experience, Inc., 173 Vt. 617, 618 (2002) (we may not overturn court= s conclusions if supported by findings, nor its findings if supported credible evidence).

Affirmed.

BY THE COURT:

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Jeffrey L. Amestoy, Chief Justice

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John A. Dooley, Associate Justice

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Denise R. Johnson, Associate Justice