

**ENTRY ORDER**

VERMONT SUPREME COURT  
FILED IN CLERK'S OFFICE

SUPREME COURT DOCKET NO. 2009-284

SEP 1 2009

AUGUST TERM, 2009

In re Adoption of B.L.R.

}	APPEALED FROM:
}	
}	Lamoille Probate Court
}	
}	DOCKET NO. LP-13-09 A

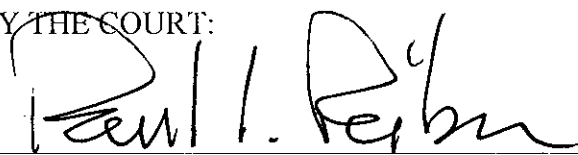
In the above-entitled cause, the Clerk will enter:

Appellant Brian Rooney has filed a notice of appeal from a probate court decision denying a motion to vacate his consent to an adoption. Appellee Sloan Bullard has moved to dismiss the appeal for lack of jurisdiction.

Appeals from probate court decisions must generally be filed with the superior court except where the appeal raises “pure” questions of law, the resolution of which do not depend upon factual distinctions and do not require review of the record.” In re Estate of Johnson, 158 Vt. 557, 559 (1992); see V.R.C.P. 72 (providing for appeal to superior court from a decision of the probate court); 12 V.S.A. § 2551 (providing for supreme court jurisdiction over “questions of law” arising in probate matters). Appellant here has not asserted that his appeal involves pure issues of law or indicated what those issues might be, nor does the record suggest that resolution of the appeal would be feasible without review of the factual record. Accordingly, we conclude that the appeal must be dismissed.

Appeal dismissed.

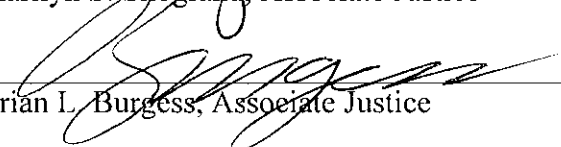
BY THE COURT:

  
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 Paul L. Reiber, Chief Justice

  
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 John A. Dooley, Associate Justice

  
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 Denise R. Johnson, Associate Justice

  
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 Marilyn S. Skoglund, Associate Justice

  
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 Brian L. Burgess, Associate Justice