

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. 2016-0251, Carolyn J. Carlson, Trustee of the Carolyn J. Carlson Living Trust v. Latvian Lutheran Exile Church of Boston and Vicinity Patrons, Inc., the court on October 20, 2017, issued the following order:**

After review of the plaintiff's motion for reconsideration and clarification, the court modifies the slip opinion as set forth below. In all other respects, the plaintiff's motion for reconsideration and clarification is denied.

The slip opinion dated September 21, 2017, is modified by deleting the last sentence of the first paragraph of the opinion and replacing it with:

Because we find that both parties lacked standing to pursue their claims, we affirm the trial court's ruling that Carlson had no standing to petition to quiet title, vacate the trial court's grant of declaratory relief, and remand with instructions that both parties' claims be dismissed for lack of subject matter jurisdiction.

The slip opinion is further modified by adding the following new paragraph at the end of section II of the opinion:

Because Patrons does not allege that Carlson's use of her easement interferes with Patrons' claimed easement, and because Patrons did not join the Schweizers as parties in its counterclaim, we also conclude, for the same reasons stated above, that Patrons lacks standing to pursue its counterclaim against Carlson. Therefore, on remand, the trial court also is instructed to dismiss Patrons' counterclaim against Carlson for lack of subject matter jurisdiction.

Reconsideration denied;  
slip opinion modified.

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

**Eileen Fox,  
Clerk**