

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. 2023-0473, Muccio, LLC v. Honey Tree Learning Center, LLC, the court on February 27, 2024, issued the following order:**

The court has reviewed the written arguments and the record submitted on appeal, and has determined to resolve the case by way of this order. See Sup. Ct. R. 20(2). Accordingly, we vacate that portion of our September 13, 2023 acceptance order stating that the case “will be scheduled for oral argument before the full court.” The defendant, Honey Tree Learning Center, LLC, appeals an order of the Circuit Court (Gardner, J.) evicting it for material breach of its lease with the plaintiff, Muccio, LLC. We construe the defendant’s brief to be arguing that the trial court erred by finding that it materially breached the parties’ lease by failing to procure certain insurance coverage. Based upon our review of the parties’ written arguments, the relevant law, the record on appeal, and the trial court’s thorough and well-reasoned decision, we find the defendant’s arguments unpersuasive, and affirm the trial court’s decision. Issues raised in the defendant’s notice of appeal that it has not briefed are waived. See State v. Blackmer, 149 N.H. 47, 49 (2003)

Affirmed.

MacDonald, C.J., and Bassett, Hantz Marconi, Donovan, and Countway, JJ., concurred.

**Timothy A. Gudas,  
Clerk**