

KATHRYN BELMONT

v.

PATRICIA BELMONT

Submitted on Briefs December 1, 2010

Decided December 7, 2010

Panel: SAUFLEY, C.J., and ALEXANDER, SILVER, MEAD, GORMAN, and
JABAR, JJ.

MEMORANDUM OF DECISION

Kathryn Belmont appeals from a judgment of the Superior Court (York County, *Fritzsche, J.*) granting summary judgment to Patricia Belmont on Kathryn's complaint asserting title to real estate on theories of constructive trust, adverse possession, and omitted property. Contrary to Kathryn's contention, the court did not err in finding that Patricia was entitled to judgment as a matter of law because a prior judgment granting Kathryn a divorce from Patricia's son divested her of any residual rights in the real estate at issue. That divorce judgment was entitled to preclusive effect in this case. *See Efstathiou v. Efstathiou*, 2009 ME 107, ¶ 7, 982 A.2d 339, 342.

The entry is:

Judgment affirmed.

Attorney for Kathryn Belmont:

Thomas G. Van Houten, Esq.
469 Main St.
Springvale, Maine 04083

Attorney for Patricia Belmont:

Ronald P. Lebel, Esq.
Kelly L. Turner, Esq.
Skelton, Taintor & Abbott
95 Main St., P.O. Box 3200
Auburn, Maine 04212-3200